



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 104<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 141

WASHINGTON, WEDNESDAY, MARCH 8, 1995

No. 43

## Senate

(Legislative day of Monday, March 6, 1995)

The Senate met at 10:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today we have a guest Chaplain, Dr. Neal T. Jones, pastor of Columbia Baptist Church of Falls Church, VA.

### PRAYER

The guest Chaplain, the Reverend Dr. Neal T. Jones, Columbia Baptist Church, Falls Church, VA, offered the following prayer:

Let us pray:

Our Father in Heaven, we thank You that history is a human record of which You are the superintendent. We are the infinitesimal creatures of a few historical moments. We thank You for endowing these temporal moments with eternal significance. We, therefore, ask for wisdom and understanding of history in the ordering of our times.

By Your wisdom, transport us to that eternal expanse before the beginning. By Your wisdom, take us to the other side of the end. By Your wisdom, take us to the heart of reality where time and eternity merge. Finally, by Your wisdom, wrap us in the sufficiency of Your knowledge and love.

By grace, we promise to fill our lives with more than the momentary and more of the eternal—in order to praise the One who is everything and benefit our constituents in time.

In Jesus' name. Amen.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader, the Senator from Mississippi [Mr. LOTT], is recognized.

### SCHEDULE

Mr. LOTT. Thank you, Mr. President. This morning, the Senate will resume consideration of H.R. 889, the supple-

mental appropriations bill. Pending is the amendment offered last night by Senator HELMS regarding Cuba. Roll-call votes are expected throughout today's session, and it is the hope of the majority leader to complete action on the supplemental appropriations bill today.

I understand perhaps the Chair has some pending announcements. I yield the floor.

### APPOINTMENT BY THE MAJORITY AND MINORITY LEADERS

The PRESIDING OFFICER (Mr. INHOFE). On behalf of the majority and minority leaders, pursuant to Public Law 102-166, the Chair appoints the Senator from Maine [Ms. SNOWE] as a member of the Glass Ceiling Commission, vice the Senator from Georgia [Mr. COVERDELL], resigned.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under a previous order the leadership time is reserved.

### THE EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCIS-SIONS ACT OF 1995

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 889, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 889) making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness for the Department of Defense for the fiscal year ending September 30, 1995 and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Helms (modified) amendment No. 326 (to committee amendment beginning

on page 1, line 3), to strengthen international sanctions against the Castro government in Cuba, to develop a plan to support a transition government leading to a democratically elected government in Cuba.

### PRIVILEGE OF THE FLOOR

Mr. INOUE. Mr. President, I ask unanimous consent that Barbara Jean Scherb, a member of my staff, be given the privileges of the floor during consideration of this legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I ask unanimous consent that I proceed as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

### WELCOME REVEREND JONES

Mr. LOTT. Mr. President, I know we are ready to go momentarily to H.R. 889, the supplemental appropriations bill. I do expect the committee members to be here shortly so we can proceed.

In the interim, I would like to take a moment, Mr. President, to welcome the distinguished guest Chaplain to the Senate today, Dr. Neal Jones. I truly believe that some of the most meaningful lessons that could ever have been learned on the floor of the U.S. Senate have come from our Chaplains.

I also always remember the prayers of Peter Marshall, when he served as the Chaplain of the Senate, and his prayers were actually put in book form. I have one of those. Not many of them are around any more. They were very meaningful, and I am sure they sustained the Senators in the days that they were delivered as prayers in the Senate.

I know Dr. Neal Jones to be the same type of man. He is pastor of Columbia Baptist Church. I have known him in his role there at that very fine church

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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for I guess close to 20 years. He has meant a great deal to this Senator personally. I just wanted to acknowledge the fine work he has done at Columbia Baptist Church and the work he has done, and it extends down to Texas.

It extends, as a matter of fact, in the international community. As a member of Columbia Baptist Church, I remember many occasions when Dr. Jones had the congregation and the church family there to reach out to international members of the Washington area community, members of the ambassadorial corps, and staff members from our embassies. They were always wonderful events, dinners and lunches, where we welcomed representatives from countries all over the world to Columbia Baptist Church.

I also would note that both of my children were baptized along with my wife by Dr. Neal Jones at Columbia Baptist Church. I really appreciate the fine work he does. I have been enjoying and appreciating his prayers this week and I look forward to hearing more of them. He is a perfect example of why the Senate has always had a Chaplain. I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SIMON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### FALLOUT FROM BALANCED BUDGET AMENDMENT

Mr. SIMON. Mr. President, I would like to make an observation or two. Sometimes we do things in the U.S. Senate that no one pays much attention to around the world. In the 4 days since we have turned down the balanced budget amendment, we have seen a precipitous fall in the dollar.

I heard on the radio as I came in this morning, and at a breakfast meeting where I heard the distinguished presiding officer speak, I heard a reference to the international markets being concerned about the action and our failure to face up to our deficit problems.

The Chicago Tribune, yesterday, front page subhead "Dollar's Role as the Top Currency of International Trade Is Threatened." And I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

##### WHERE WILL THE BUCK STOP?

(By Ronald E. Yates)

##### THE DOWNSIDE

Americans face higher prices for many imports and foreign trips, and the dollar's role as the top currency of international trade is threatened.

##### THE UPSIDE

A cheaper dollar makes American exports more competitive abroad, helping U.S. com-

panies that sell overseas and combating trade imbalances.

##### A LOSING BATTLE WITH MARK, YEN

With the dollar continuing its free fall in currency markets around the world Monday, questions furrowed brows from London to Tokyo:

Does the buck stop here? Or will it fall further? And if it does fall further, what will the impact be?

The answers depend on who you are and what your agenda is.

If you are an American consumer thinking about buying a new Japanese or German car, the weaker dollar means you'll pay more because it takes more dollars to buy the vehicle. It's the same thing for those who are planning a trip to Europe or Asia. Hotels, meals and other costs associated with travel will cost more for those traveling with dollars.

On the other hand, if you are Federal Reserve Board Chairman Alan Greenspan, you aren't too concerned about the plummeting greenback because a weaker dollar helps drive domestic economic growth. How? A devalued dollar makes U.S. goods cheaper and more competitive overseas.

But if you are Japanese Finance Minister Masayoshi Takemura, the idea of the dollar weakening and the yen strengthening has no appeal.

At one point Monday, the Japanese yen was trading at a new post World War II high of 92.80 against the wobbly dollar. Takemura and the other leaders of the Japanese economy hate news like that.

Why? Because a strong yen makes Japanese products expensive in overseas markets, thereby decreasing their competitiveness. That, in turn, slows the Japanese economy, which is still struggling to come out of a 4-year-old recession.

While neither Greenspan nor Federal Reserve Board member Susan Phillips have said outright that they support a weaker dollar, that's the way it's being read around the world.

"Certainly the dollar is something we look at," Phillips told reporters Sunday. "But domestic considerations are in many ways primary [to a falling dollar]."

Traders and analyst were in general agreement Monday about what that statement meant.

"Not only doesn't the buck stop here, but the U.S. government apparently doesn't care if the dollar falls further," said currency trader Manfred Holliger in Zurich. "It's a strange attitude for a government to take about its currency."

While many currency nationalists might deplore the government's apparent lack of concern over the falling dollar, there is another, more practical reason to be concerned about the currency's plunge, some economists say. If the dollar continues to nose dive, its 50-year reign as the currency of choice for global business transactions may be over.

That's a much more serious matter than old-fashioned currency chauvinism, say some analysts. Worldwide confidence in the U.S. economy is already at one of its lowest points in recent memory.

The U.S. is already the world's biggest debtor nation, with liabilities at the end of 1994 of some \$750 billion. Foreign economists say that Congress' refusal last week to pass a constitutional amendment that would have required a balance budget by 2002 showed that Washington is simply not serious about putting its economic house in order.

"The German mark is already replacing the dollar as the currency of choice in Europe, and it may do so in Asia, too," Holliger said. "That will undermine international

faith in the U.S. economy and its government even further. I can't understand what benefit U.S. leaders see in allowing the dollar to fall even more than it already has."

From the perspective of Greenspan and the Federal Reserve, who, some economists say, continue to be obsessed by the fear of inflation, a weaker dollar may force another rise in interest rates.

The Fed already has raised interest rates seven times in 13 months. The fear in Washington is that when a weaker dollar spurs economic growth by making American goods more attractive in foreign markets, it will rekindle inflation.

"The Fed does care about the dollar's value," said Susan Hering, an economist with Salomon Brothers in New York. "A weaker dollar will intensify the Fed's concerns about inflation and make it more prone to raise [interest] rates."

Not all analysts agreed with that assessment, however. "We see no chance the Federal Reserve will hike U.S. short-term interest rates to defend the dollar, because they have never done so before," said Carl B. Weinberg, chief economist at High Frequency Economics in New York.

The dollar fell to 92.80 yen in late trading Monday in New York, down from a Friday record low of 94.05. It also declined against the German mark, dropping to 1.4042 marks, the lowest level in more than two years and down from Friday's close in New York of 1.4250 marks. The dollar was down against other major currencies as well.

The dollar's low against the mark is 1.387, reached in September 1992. In London, the dollar was quoted at 1.4013 marks, down from 1.4355 Friday.

In overnight trading in Asia, the dollar sank as low as 92.63 yen in Tokyo, the lowest it has been since modern exchange rates were established after World War II.

Against other currencies, the dollar sank to 4.9580 French francs from 5.0270; to 1.1735 Swiss francs from 1.2010; and to 1,661.00 Italian lire from 1,672.50.

"The dollar is being flawed by a huge U.S. current-account deficit," said Weinberg, referring to the trade measure that includes goods as well as services. He added that central-bank intervention in propping up the dollar last week failed to do anything other than create profit-taking opportunities for speculators, who continued to dump the currency by the billions.

"This means [central] banks either have to give up their support for the dollar—which is unlikely—or inflict more pain on speculators this week by propping it up with more dollar purchases," Weinberg said.

A poll of several analysts revealed that many feel the dollar will fall to 1.35 marks and 90 yen before beginning a slow climb back.

"Any return to its old glory days as the leading currency in the world will be slow," Holliger said. "It doesn't take much for a government to destroy the confidence people have in a currency, but it takes an awful lot of work to revive that confidence. That's where the dollar is today."

Mr. SIMON. Mr. President, this article mentions a currency trader that is apparently very prominent. I have to say I am not that knowledgeable in this field. A gentleman from Zurich, Switzerland, Manfred Holliger, says:

Foreign economists say that Congress' refusal last week to pass a constitutional

amendment that would have required a balanced budget by 2002 showed that Washington is simply not serious about putting its economic House in order.

The German mark is already replacing the dollar as the currency of choice in Europe, and it may do so in Asia, too [Holliger said].

That will undermine international faith in the U.S. economy and its government even further. I cannot understand what benefit U.S. leaders see in allowing the dollar to fall even more than it already has.

When I served overseas in the Army—and I have to say that was a long time ago, 1951 to 1953—for \$1, you got 4 German marks. That has changed dramatically.

Every once in a while, we do things here that are of monumental importance to the Nation. What happened last week is of such import. If we want to stop the slide of the dollar, the U.S. Senate can do it very, very quickly by adopting the balanced budget amendment.

I say to my 34 colleagues who voted against it, any one of you can do a great favor for this Government and for the future of world stability by changing that vote. I hope before too long we will have a changed vote. The news on the dollar should be a matter of concern to all of us.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I did not know my friend was going to speak on the subject of the falling dollar, but I fit right in with his discussion. I ask unanimous consent that I have up to 7 minutes as in morning business to discuss this issue.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### FALLING DOLLAR: IMPORTANT IMPACT ON AMERICAN PEOPLE

Mr. DOMENICI. Mr. President, first of all, let me suggest that the falling dollar seems like something out in the sky that does not have an impact on the American people. Let me suggest it has a very, very important impact on the American people.

I said to my staff this morning, "Let's not talk about Wall Street and the markets. Let's talk about a couple in their home, living in an apartment house with two children and are thinking about buying a new house." That is the kind of American who is going to get hurt, or the American who is thinking about buying a new car or a new refrigerator and is going to have to borrow money, because essentially as the dollar lowers in value and America's appetite for borrowed money grows because we do not have a balanced budget and we do not have any game plan to get our deficit under control, what happens is that those foreigners who invest in American debt will insist on higher interest rates. Because the dollar is worth less money, they want higher interest rates.

So what are we already seeing as a result of the falling price of the dollar?

We are seeing higher interest rates, higher long-term interest rates. So I want to discuss for a few minutes with the U.S. Senate and those interested in this about things we ought to be doing that we are not doing to see if we cannot stop this and put America's dollar and America's economy back, from the standpoint of the world, in the proper light, in the light it should be and should have.

The currency markets might even be said to be in turmoil. Yesterday's news on that is not a disconnected Wall Street event. It is a critical comment on the U.S. economy and on the budget policy of this Nation, as I see it. Leadership in this country requires more than just saying a strong dollar is in our interest. Who would not say that today? And waiting around to see what happens is not an appropriate response.

It is backing that up with responsible fiscal policy that does not take a walk on the deficit. Half a year ago, I spoke to the Senate the last time America's currency was falling precipitously to new lows against foreign currencies. The yen per dollar exchange rate was flirting then with a historic floor of 100.

At that time, I warned that the dollar slide was a global vote of no confidence on the direction of U.S. policy, both foreign and domestic, and, in particular, fiscal policy. Now we are seeing the dollar hitting new record lows every day since the Senate's failure to pass the balanced budget amendment to the Constitution.

On Monday, our currency declined to a record low of 93 yen per dollar, down 4.5 percent. In a week, it fell a similar amount against the German mark and entered a record low territory against that currency as well.

Yesterday, the dollar slide accelerated. By afternoon, the dollar had fallen sizably further, 2 percent, since the previous day to a record of 90 yen to the dollar, setting a fourth consecutive record low in as many days. Against the mark, the dollar fell to 137, a new record low against that currency as well. As a result, long-term interest rates were pushed higher and stock values declined, just what I said in my opening remarks. Interest rates are pushed up.

This is not the work of the Federal Reserve Board, which has been adjusting short-term rates. Clearly, this is not that. This is the world currency market responding.

These are not random disconnected events. Here is how we got to this place:

First, Federal deficits are going up, not down, I say to my good friend from Illinois. Last July, the projected deficits were said to be \$173 billion for 1996 and much was made of that decline.

In February, without any changes in policy, the administration upped its estimate to \$196 billion and took a walk on controlling long-term deficits—that is the President's budget—took a walk on having any impact on long-term

deficits, thus, avoiding involvement by our country in a meaningful way in getting long-term interest rates under control.

Second, and I regret to state this but it is absolutely true, we must borrow even more, I say to Senator SIMON, even more from abroad, rather than less. Higher Federal deficits and low national savings rates mean America's borrowing from abroad will have to grow tremendously in order to fund America's investment needs.

Over the last four quarters, America has increased its net borrowing from abroad by 50 percent, from \$100 billion in 1993 to \$150 billion in 1994. Last month, the administration projected borrowing needs from abroad to rise to \$170 billion by 1996.

The administration's shaky leadership with reference to the peso also contributed somewhat to the crisis and is part of a connected web of American activities that have shaken the market. I believe that event on the Mexican peso contributed to some lack of confidence in the dollar and our abilities to get involved in an appropriate way.

Then last Thursday, the U.S. Senate sent a message to the world capital markets that the U.S. Government did not have the resolve to deal with these damaging trends. The balanced budget amendment failed in the Senate by one vote after passing overwhelmingly in the House. The dollar now stands 7 percent lower against the yen and 6 percent lower against the mark relative to 1 week ago.

The current 7.6-percent interest rate on 30-year Treasury bonds is 20 basis points higher than a week ago, and the Federal Reserve Board has done nothing to adjust interest rates, so it is something else causing it because they have not changed short-term interest rates, which many think has no impact on long-term rates anyway.

A weak dollar and higher interest rates is prima facie evidence that foreign investors lack confidence in dollar investments. Foreign central banks time and time again have had to pick up the slack through currency interventions, as they attempted to do last Friday, apparently without success.

What should we be doing? There are many factors that can affect the dollar. They include strengthening economies in Germany and elsewhere, Japan's earthquake, and the peso crisis, but there will always be events like that occurring outside our immediate control.

The question is, what are we doing to guide America's future in this sea of uncertainty? If we do not provide a firm currency, obviously our economic goals are put in jeopardy. That does not mean relying on the Federal Reserve Board to increase rates enough to entice foreign lenders to hold American-denominated securities, because obviously there are two sides to that coin. When you do that, you hurt America, although you might help the

dollar overseas. When it comes to changing interest rates, the U.S. Federal Reserve Board should always place domestic interests first. A U.S. recession helps no one.

The only way to strengthen America's rate of return is to strengthen America's economy by reducing long-term deficits, improving our savings and investment climate, and getting the Government out of the way of workers and business. All of these are on the agenda for this year and next year, right on the table. Allowing confidence in the stability of U.S. currency to significantly erode is not just unfortunate, it reflects misguided and, I believe, irresponsible Government policies.

This is a very simple graph, easy to understand. It talks about the U.S. dollar and its decline to new lows. The green one is its decline against the yen. The red one is its decline against the other major currency, the mark. This is all in the period of time, I say to my friend from Illinois, from April 1, 1994, to March 7; that is yesterday. It is rather significant, not something that is esoteric and outside of impacting our people. It is very, very important to average Americans and to our continued success as a viable economy.

I yield the floor.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

#### A BALANCED BUDGET

Mr. EXON. Mr. President, I have been listening with interest to the remarks by the chairman of the Budget Committee, the distinguished Senator from New Mexico, who has served so well and so long here. I know the people back in his home State recognize and realize that New Mexico is well served here with my great friend and colleague.

I want to simply add my voice of concern, as I think has been so well articulated by himself, and I think before him by my friend and colleague from the State of Illinois, who has been with us in trying to focus attention on the dire consequences of the United States of America continuing its course of reckless spending.

I just cite a statistic or two that I think have been said so many times they may be old hat, but I am still not sure are fully understood.

The national debt is the accumulation, year after year after year, of budget deficits. Put another way, that means the Government, year after year after year, is spending more than it takes in. Then, whether that is in millions or billions, it is shifted over at the end of each fiscal year to the national debt. But in 1980, the national debt was below \$1 trillion, the accumulation of all the deficits since this Nation started over 200 years ago. From 1980 until 1995, that debt has gone up about five times, from under \$1 trillion to \$4.8 trillion as of now. And everyone

in this body who understands the budget knows it is going to go up over \$5 trillion sometime in this calendar year. Then it is going to go on up from there, because I have not seen a single projection yet by anybody, Democrat, Republican, independent, or any of the think tanks, that does not show continual, as far as we can see into the future, year after year after year, including up to the magic year 2002 that we had outlined in the constitutional amendment to balance the budget—it is going to go up each year. That is another way of saying—with that kind of accumulation, it is an understatement—that the debt will be at least \$6 trillion by the year 2000, which is another shattering statement. It may be part of the reason for the decline of the dollar and the concern for that the chairman of the Budget Committee has just outlined. I think it is well we understand that.

Having said that, there are many complicating factors in play right now. I am not an isolationist, either in military policy or in economic policy, but the more and more we internationalize the United States of America's economy—the more and more we talk about free trade, the more and more NAFTA's that we have, the more and more GATT's that we have—that is continually putting the economy of the United States of America in hands that are beyond our borders, so people in foreign countries have more and more to do with whether or not the economy of the United States of America is a sound one or a fragile one.

The Senator from New Mexico made quite a point that the earlier estimate by the Clinton administration for the budget deficit at the end of this year was about \$172 billion and the chairman of the Budget Committee further said that has now been revised upward from \$172 billion to \$197 billion or \$198 billion. Of course, the basic reason for that, among other things, was partially a shortfall in the amount of money coming into the Treasury, but primarily it was due to the Federal Reserve Board raising interest rates, so that hurt Americans. But it also hurts the taxpayers in America because they have to pay more interest, a higher interest rate on the national debt. So not only is the national debt continuing to rise from under \$1 trillion in 1980 to \$4.8 trillion now, going up over \$6 trillion before we can have any hopes of beginning to get it under control through some mechanism, but at the same time the interest that the taxpayers pay on that is going up dramatically for two reasons. No. 1, the debt keeps going higher and, No. 2, interest rates keep inching up.

Now, we are seemingly getting ourselves into a situation that, after NAFTA and after GATT and after the bailout of the Mexican economy that some of us understood NAFTA was going to take care of—that was to take care of everything. That would smooth things out between those who live

north and south of the border, which it obviously has not. But after all those concerns, we are still back to a situation where, among the other concerns of the budget, the fastest-growing, percentage-wise, portion of the budget today is not national defense, it is not welfare, it is not Social Security benefits, it is not Medicare and Medicaid; the fastest growing percentage increase in the national debt is the interest, which is now approaching \$300 billion a year.

Talk about the foreigners pulling their money out of the United States of America; that is the good news/bad news situation once again. The facts of the matter are that foreign investors in the United States, those buying T-bills in the United States of America, are now receiving somewhere between \$50 and \$60 billion a year interest that the American taxpayers are paying. That is what they get for buying our T-bills.

Another alarming thing, consider that about 25 percent of our debt, the excesses that we continue to spend, is being handled by foreigners. What kind of shape is the United States of America in today? What more reason do we need for some discipline to get our expenditures in line with our income on some kind of a reasonable, enforceable glidepath to a balanced budget?

What more reason do we need than the fact that now we are becoming nervous because of the collapse of the dollar? The foreign investors in the United States may be pulling their money out of the United States of America. That could increase our interest rates. I think the sum of this whole thing is that the United States of America finds itself in an additionally perilous situation today where actions of foreigners, foreign entities, could cause a major recession in the United States of America. I am not sure, if we could balance the budget tomorrow, it would stop that, but it would certainly be a step in the right direction.

Let me conclude, though, Mr. President, by saying let us not be pointing fingers at the President of the United States on this. I do not agree with the connotation made by the Senator from New Mexico with regard to the fact that he said the President of the United States had walked away from the deficit problem.

Mr. President, I submit the record shows that clearly is not correct. The President of the United States and the Democrats in 1993 passed, for the first time, the only significant decrease in the annual deficit that we have ever seen. We took a lot of heat for that. Whether you agree with everything that President Clinton does or whether you disagree with that, President Clinton is the first President since Harry Truman to establish a policy that has had a downward trend in the deficit for 3 consecutive years.

No, he has not licked the problem. There is more to do. And I, too, criticize the President's budget this year. Not only did the President not attack the deficit as I had hoped and wished that he would, but he also fell into line with the Contract With America that is supported by the Republicans on the House side and maybe some of the Republicans in the Senate to have a tax cut at a time we are screaming that we have to balance our budget.

You cannot have it both ways. Anyone who is out there preaching a tax cut today, if they have any basic understanding of the budget of the United States of America, is either dead wrong or they are trying to mislead the people of the United States of America.

So I simply say I am pleased that my colleague from New Mexico has outlined a very serious problem, another problem, something else that we had not anticipated that could have some rather dire circumstances on the United States of America. While I say I think it is important we press ahead even without the constitutional amendment to balance the budget, which I was for and strongly supported, the world has not come to an end because that did not pass, and we still have the responsibility to work as best we can on a nonpartisan basis to move ahead with balancing the budget by the year 2002 or as soon thereafter as possible given the new realities of the situation.

#### SENATE COMITY

Mr. President, I wish to make some brief remarks on another subject that I think ties in with the reason that this Senate of ours gets itself tied up from time to time in gridlock. The events following the failure by one vote in this body last week to pass the constitutional amendment are something on which I wish to make a few remarks.

I appeal to all Members of this body, regardless of which side of the aisle they sit on and what their political affiliation is, to begin to recognize the lack of comity, the lack of understanding, the failure of those of us on both sides of this aisle to walk in other people's shoes on the other side of the aisle.

I have been here now for 17 years. I must say, Mr. President, I am very much concerned about the fact that this body is becoming more and more a body of vicious arguments, a body that does not play within its rules somehow that we do not falsely accuse each other, with the teamwork that is necessary in passing many good pieces of legislation; the fact that if someone on the other side of the aisle or someone on our side of the aisle does not go along with a key vote that one of us thinks is absolutely critical, then there are some recriminations taking place.

I need only cite the meeting that I understand from the press is going on today where the Republican majority in this body is meeting to see whether or not they are going to censure one of

the most dedicated and talented Members on that side of the aisle, Senator HATFIELD from the State of Oregon. Senator HATFIELD had the unmitigated gall, in the opinion of some, to vote his conviction from that seat the other day and thereby, along with several other Senators that could be mentioned, caused the balanced budget amendment to fail.

Now, I think I have the credentials to talk about that, Mr. President, because I did not agree with Senator HATFIELD's vote. But I will defend to the end his right to vote his convictions. And if we are going to send a message throughout the land directed by the new majority that was elected in both the House and the Senate in the November elections, if that majority is going to be sending out the message that you march in lockstep with the contract, you march in lockstep with whatever we tell you to do or you are out as chairman of a committee or can be otherwise censured, then I think that points up and proves the point I am trying to make today, that this institution is beginning to break down and become a pit of rhetoric, not understanding that each one of us is pledged to do what he or she thinks is best for our State and best for our Nation.

The Democrats sure do not have all the answers. We have proven that. The Republicans do not have the answers either, and I think they are proving that even faster than I thought they could. I simply say it is about time the freshmen Members of this body come into it with a bit of humbleness. Just because they served over in the other body where they could not talk more than 1 minute at a time, time and time again I have seen them come over to this body and languish in their new found freedom of talk, talk, talk, talk, talk.

It does hurt, Mr. President, when Members on this side of the aisle or Members on that side of the aisle by statement, by implication, and by action indicate that we are going to punish our Members when they do not hew the line.

I would only hearken back for a moment, if I might, Mr. President, to that 1993 budget bill that was passed by 50 votes in this body. We had to have the Vice President in the chair to cast the vote to break the tie. Those were all Democratic votes. There were defections from what was the position of the President of the United States, a Democrat. There were defections from what most of the Democrats in this body, including this one, thought was the right thing to do. Some of those defections were some of my closest friends and associates in this body who I served with and considered their actions and their decision at that particular time. While I did not agree with it, there was never a murmur on this side. I have never heard even in Cloakroom talk or out on the street a thought of trying to punish the six over seven Democrats that did

not follow the party line. And maybe in the end, Mr. President, that is a basic difference between the Democratic Party and the Republican Party in the United States of America. They choose to try and whip their people into lockstep.

I am proud to say—at least as far as I know—while we hope that there is discipline on this side to a degree when things which are fundamentally important are concerned, I have never heard of the Democrats ever considering censoring someone because they had the courage to vote their conviction.

MARK HATFIELD voted his conviction last week. While I thought it was a wrong vote, I admire him for that conviction. I hope that the cooler heads—and there are many of them on that side of the aisle—will not start on a warpath and not demean the standing and respect that I think this body should have in the public's eye by trying to whip or punish Senator HATFIELD for casting the vote that he thought was right.

Democrats and Republicans, it seems to me, can only expect us—and our constituents can only expect us—to trust our judgment to listen to them, but in the end vote our convictions and our consciences as to what is the right thing for our State and the right thing for our Nation. MARK HATFIELD did that last week.

I again say that I wish he had done otherwise. I wish he would have been the one vote that we needed to pass it. But I felt that I would not be stating my fondness for this institution and what it stands for without coming to the floor in defense of my friend MARK HATFIELD because I am convinced that, while he did what he thought was right, if we ever get to the place in this body where Democrats are going to dictate whether they are in the majority or the minority, the Republicans are going to dictate whether they are in the majority or the minority, how I and every one of the Members of the party vote, then we have destroyed I think the deliberative body that I think the people expect from this great institution that we call the U.S. Senate.

Mr. President, I yield the floor.

Mr. MACK addressed the Chair.

The PRESIDING OFFICER (Mr. ASHCROFT). The Senator from Florida.

#### EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCIS-SIONS ACT OF 1995

The Senate continued with the consideration of the bill.

#### AMENDMENT NO. 326, AS MODIFIED

Mr. MACK. Mr. President, is the pending business the Helms amendment?

The PRESIDING OFFICER. That is correct.

Mr. MACK. The Cuban Liberty and Democratic Solidarity Act?

The PRESIDING OFFICER. That is correct.

Mr. MACK. Thank you, Mr. President.

Mr. President, the Cuban Liberty and Democratic Solidarity Act is designed to once and for all bring about the end of the Castro regime in Cuba.

Senator DOLE and Senator HELMS and my colleagues were forced to act quickly to bring this measure to the Senate floor last night because word had seeped out of the Clinton administration that administration officials have recommended that the President move to lift certain sanctions on the Castro regime and hold out a list of steps leading to bilateral talks between the United States and Cuba.

The introduction of this bill in Congress is a message to the President: Just do not do it. Just do not do it.

In fact, people are saying that what has happened is there is a trial balloon that is being floated out there to see how it might sell, how it might fly. Well, I would suggest that the President of the United States himself ought to pop that balloon. This is not the time to be talking about opening a discussion with Fidel Castro and entering into normal relations.

What possible justification could the administration have for removing even the slightest pressure from the Castro regime? How can anyone argue that the way to end repression in Cuba is to end the regime's isolation when Cuba will not even allow the visit of one man? That one man is an individual by the name of Carl-Johan Groth, the U.N. special rapporteur assigned to investigate Cuba's human rights records.

Let me put that in perspective. The United Nations has assigned an individual as a result of a series of resolutions that were passed in Geneva condemning Fidel Castro and Cuba for its human rights violations. For years they have been trying to get someone into Cuba to investigate these human rights violations and Cuba has denied entrance, access, to Cuba of this U.N. special rapporteur.

Groth, though denied an entry visa, has made a—I am quoting now from an editorial in the Miami Herald of 4 days ago—"harrowing compilation of violations of political and civil rights, arbitrary arrests, intimidation of the opposition and political prisoners kept in woeful conditions."

His report describes the July sinking of a tugboat full of refugees fleeing Cuba. The tug, attacked off the Cuban coast, sank. Most aboard, including men, women, and children drowned.

I think my colleagues will remember that we discussed this issue on the floor of the Senate last year.

Fidel Castro puts his faith in the tirelessness of some policymakers who, not living in the hell Castro has created, search for new avenues for negotiation, dialog, and compromise with a dictator who has outlasted administration after administration. I say to those who want to find those new avenues, when will they ever learn?

I put my faith in the Cuban people who continue to struggle and hope that

we here in the United States will not forget them.

On a personal note, I want to build on that last comment. I have the opportunity from time to time to speak with refugees or defectors from Cuba. And one of the questions that I always ask them is, "Should the United States maintain this embargo? Should the United States still attempt to isolate Fidel Castro because some people say there is a hardship that we are creating on the people of Cuba?"

Every single one that I have spoken to says, you cannot back away. You cannot lift that embargo because, if you do, the message you are sending to us is you have abandoned us. And in fact, it is the message that comes with the result of the embargo that is beginning to embolden us that gives us hope that maybe there is an opportunity that we can change things.

So the worst possible thing that we could do would be what is being suggested by those in the administration that now it is time to lift some of the embargo, that now is the time to begin to open a dialog, a terrible, terrible mistake.

I also remind my colleagues that last year—in fact, I believe it was the last day of the last Congress—there was a hearing in the Senate Foreign Relations Committee, a hearing that was designed to deliver the message that now is the time to lift the embargo, open up dialog, move to normalization.

The amazing thing, as I sat there at that hearing and I testified, was that it was the day after President Mandela had addressed a joint session of the Congress of the United States and told us if it had not been for the commitment of the United States, and specifically, he said, the United States Congress, to the isolation of the regime in South Africa, his people and he would not be free. And for the people who supported that to turn around today and say, "Oh, we can't follow the same approach with Cuba and Fidel Castro," makes absolutely, positively no sense.

So as I say, in my opinion, the President of the United States ought to embrace the Cuban Liberty and Democratic Solidarity Act and he ought to pop the balloon that has been floated by those in the administration.

This is not the time for us to weaken our resolve. We need to continue to send that message to the people of Cuba—that we have not forgotten them, that we will not forget them, and that this country is united behind the idea of freedom and democracy returning to that tiny little island south of Florida.

I yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, first I want to commend my colleague from Florida, who has perhaps more personal knowledge regarding Cuba and its effect on our country than many of

the other Members here in this body. I appreciate his remarks.

I would like to elaborate on the comments that he has made as they relate to certain suggestions from the administration that we should enter into a new era with Cuba, one in which we ease and/or normalize relations.

I would like to read from The Washington Post, March 7. It says:

President Clinton's foreign policy advisers are recommending he take steps toward easing relations with Cuba by revoking some economic sanctions adopted against the nation in August.

The time has come, some U.S. officials believe, to test whether Castro is willing to make deep economic and political reforms, a senior administration official said.

Mr. President, my colleague from Florida has, I think, made a very good case that indeed this is not the time—not the time—to ease sanctions.

In Fidel Castro, we have a dictator; in Fidel Castro, we have empirical evidence of continued human rights violations, torture, murder, extended imprisonment.

Mr. President, in Fidel Castro, we have an avowed enemy of the United States of America, a man who has proliferated hostility throughout the hemisphere to the country, a man who has made no suggestion to us that, given new resources, they, too, would not be turned against the United States of America, a man whose history is riddled with attacks on this country and whose history, in contemporary terms, has been avowed hostility to the United States.

Mr. President, there has to be some sense of linkage or continuity in the way in which we engage this hemisphere.

If we could just step back for a moment, in very recent terms, we have just imposed the harshest of sanctions possible on a little country in the same region that offered no threat to the United States—Haiti; massive sanctions on the little country of Haiti. Now, Cuba is a threat. We could never argue that Haiti was. But the sanctions were harsh and strict and with effect.

Mr. President, in addition, we had an alleged dictatorship in Haiti, and so we sent an invasion to Haiti. We have landed on Haiti's soil with United States troops and personnel to remove the dictatorship and to impose or reimpose a democracy.

I may be missing something here, but I cannot get the connection with sanctions on Haiti, an invasion in Haiti, the expenditure of millions on preserving a new democracy and, in the same breath, I am reading in the Washington Post that, with Cuba, we should relieve the sanctions and engage in a dialog, as if we had a partner off our shores.

You know, we are the only world power. We are the dominant figure in this hemisphere. There has to be a logic and a connection about the way

we communicate to our own hemisphere and the world. There is no logic at this time to follow the suggestions that have been floated by this administration to alleviate the sanctions on Cuba.

Mr. President, I yield the floor.

Mr. HOLLINGS addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, let me join in the remarks of the distinguished Senator from Georgia and the distinguished Senator from Florida, and commend my colleague from North Carolina, Senator HELMS.

I have heard, I do not know where, stated that "The sands of history bleach the bones of countless thousands who, on the eve of victory, hesitated and, having hesitated, died." Such is the case with Cuba. The sanctions are working.

Now is not the time to get fanciful ideas of world policy and peace on Earth. Now is the time to look at the realities of this particular situation.

If Castro would renounce communism and replace it with perestroika in Cuba, as Gorbachev did in Russia, it would be a different thing. But instead, Castro says, "Oh, no; I have let tourists in, let the farmers sell to keep the Communist system afloat."

Mr. President, I just do not believe in financing the opposition. I almost am tempted to digress on the subject of Mexico, but I will attest to that tomorrow before the distinguished Banking Committee.

Enough on that particular point, Mr. President. I see the distinguished chairman of the Appropriations Committee is ready to move along on this subject.

#### BUDGET CRISIS

Mr. HOLLINGS. Mr. President, before yielding the floor, I cannot let pass two particular items that occurred here this morning.

One was made by my friend, the distinguished chairman of the Budget Committee. He claimed that the President had "taken a walk" with respect to budgetary matters.

Now, Mr. President, let's set the record straight. In the last 12 years, we have seen the ills of our reckless fiscal policies manifested in exorbitant, extravagant, obsessive budget deficits. But, when Members talk about who it was who "took a walk," certainly it was not President Clinton. He was not even here.

Talk about taking a walk, when the current President came to town and inherited a financial basket case of a nation, it was he who had the courage and willingness—not walking, but working—to put in a \$500 billion deficit reduction package that included taxes.

It was not unfair. It was really making things more fair by proposing the cuts and revenues needed to reduce the deficit. As part of that plan, he put in motion a program that is over half complete of reducing 272,000 employees from the Federal work force. When complete will have the smallest Federal work force since the Kennedy administration, and for what? To balance the budget, not walk.

Mr. President, I remember to December 18, 1994, when the distinguished Senator from New Mexico and his House counterpart, Congressman KASICH were on "Meet the Press." At that time they were crowing. They were going have three budgets in January, ready, willing, and able to go with the

understanding that we would put the spending cuts in the bank to pay for tax cuts. But we did not get those spending cuts in January. We did not get those spending cuts in February. And March is marching by.

Mr. President, before they talk about the wonderful record that President Clinton made year before last without a single Republican vote in the Senate or the House of Representatives, we should straighten the history about who is walking and who is talking. Where is the budget?

I remember my friend, former Senator Hart from Colorado, wanting to know, "where's the beef?" It's high time we asked, "Where's the budget?" I outlined one in January to show the hard task ahead.

Mr. President, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### HOLLINGS RELEASES REALITIES ON TRUTH IN BUDGETING

Reality No. 1: \$1.2 trillion in spending cuts is necessary.

Reality No. 2: There aren't enough savings in entitlements. Have welfare reform, but a jobs program will cost; savings are questionable. Health reform can and should save some, but slowing growth from 10 to 5 percent doesn't offer enough savings. Social Security won't be cut and will be off-budget again.

Reality No. 3: We should hold the line on the budget on Defense; that would be no savings.

Reality No. 4: Savings must come from freezes and cuts in domestic discretionary spending but that's not enough to stop hemorrhaging interest costs.

Reality No. 5: Taxes are necessary to stop hemorrhage in interest costs.

	1996	1997	1998	1999	2000	2001	2002
Deficit CBO Jan. 1995 (using trust funds) .....	207	224	225	253	284	297	322
Freeze discretionary outlays after 1998 .....	0	0	0	-19	-38	-58	-78
Spending cuts .....	-37	-74	-111	-128	-146	-163	-180
Interest savings .....	-1	-5	-11	-20	-32	-46	-64
Total savings (\$1.2 trillion) .....	-38	-79	-122	-167	-216	-267	-322
Remaining deficit using trust funds .....	169	145	103	86	68	30	0
Remaining deficit excluding trust funds .....	287	264	222	202	185	149	121
5 percent VAT .....	96	155	172	184	190	196	200
Net deficit excluding trust funds .....	187	97	27	(17)	(54)	(111)	(159)
Gross debt .....	5,142	5,257	5,300	5,305	5,272	5,200	5,091
Average interest rate on debt (percent) .....	7.0	7.1	6.9	6.8	6.7	6.7	6.7
Interest cost on the debt .....	367	370	368	368	366	360	354

Note.—Figures are in billions. Figures don't include the billions necessary for a middle-class tax cut.

Nondefense discretionary spending cuts	1996	1997	Nondefense discretionary spending cuts	1996	1997	Nondefense discretionary spending cuts	1996	1997
Space station .....	2.1	2.1	Eliminate Appalachian Regional Commission .....	0.0	0.1	Close veterans hospitals .....	0.1	0.2
Eliminate CDBG .....	2.0	2.0	Eliminate untargeted funds for math and science .....	0.1	0.2	Reduce number of political employees .....	0.1	0.1
Eliminate low-income home energy assistance .....	1.4	1.5	Cut Federal salaries by 4 percent .....	4.0	4.0	Reduce management costs for VA health care .....	0.2	0.4
Eliminate arts funding .....	1.0	1.0	Charge Federal employees commercial rates for parking .....	0.1	0.1	Reduce PMA subsidy .....	0.0	1.2
Eliminate funding for campus based aid .....	1.4	1.4	Reduce agricultural research extension activities .....	0.2	0.2	Reduce below cost timber sales .....	0.0	0.1
Eliminate funding for impact aid .....	1.0	1.0	Cancel advanced solid rocket motor .....	0.3	0.4	Reduce the legislative branch 15 percent .....	0.3	0.3
Reduce law enforcement funding to control drugs .....	1.5	1.8	Eliminate legal services .....	0.4	0.4	Eliminate Small Business Development Centers .....	0.056	0.074
Eliminate Federal wastewater grants .....	0.8	1.6	Reduce Federal travel by 30 percent .....	0.4	0.4	Eliminate minority assistance score, small business		
Eliminate SBA loans .....	0.21	0.282	Reduce energy funding for Energy Technology Develop. ..	0.2	0.5	interstate and other technical assistance programs,		
Reduce Federal aid for mass transit .....	0.5	0.1	Reduce Superfund cleanup costs .....	0.2	0.4	women's business assistance, international trade as-		
Eliminate EDA .....	0.02	0.1	Reduce REA subsidies .....	0.1	0.1	sistance, empowerment zones .....	0.033	0.046
Reduce Federal rent subsidies .....	0.1	0.2	Eliminate postal subsidies for nonprofits .....	0.1	0.1	Eliminate new State Department construction projects ..	0.010	0.023
Reduce overhead for university research .....	0.2	0.3	Reduce NIH funding .....	0.5	1.1	Eliminate Int'l Boundaries and Water Commission .....	0.013	0.02
Repeal Davis-Bacon .....	0.2	0.5	Eliminate Federal Crop Insurance Program .....	0.3	0.3	Eliminate Asia Foundation .....	0.013	0.015
Reduce State Dept. funding and end misc. activities .....	0.1	0.2	Reduce Justice State-local assistance grants .....	0.1	0.2	Eliminate International Fisheries Commission .....	0.015	0.015
End P.L. 480 title I and III sales .....	0.4	0.6	Reduce export-import direct loans .....	0.1	0.2	Eliminate Arms Control Disarmament Agency .....	0.041	0.054
Eliminate overseas broadcasting .....	0.458	0.570	Eliminate library programs .....	0.1	0.1	Eliminate NED .....	0.014	0.034
Eliminate the Bureau of Mines .....	0.1	0.2	Modify Service Contract Act .....	0.2	0.2	Eliminate Fulbright and other international exchanges ..	0.119	0.207
Eliminate expansion of rural housing assistance .....	0.1	0.2	Eliminate HUD special purpose grants .....	0.2	0.3	Eliminate North-South Center .....	0.002	0.004
Eliminate USTIA .....	0.012	0.16	Eliminate housing programs .....	0.4	1.0	Eliminate U.S. contribution to WHO, OAS, and other		
Eliminate ATP .....	0.1	0.2	Eliminate Community Investment Program .....	0.1	0.4	international organizations including the United Na-		
Eliminate airport grant in aids .....	0.3	1.0	Reduce Strategic Petroleum Program .....	0.1	0.1	tions .....	0.873	0.873
Eliminate Federal highway demonstration projects .....	0.1	0.3	Eliminate Senior Community Service Program .....	0.1	0.4	Eliminate participation in U.N. peacekeeping .....	0.533	0.533
Eliminate Amtrak subsidies .....	0.4	0.4	Reduce USDA spending for export marketing .....	0.02	0.02	Eliminate Byrne grant .....	0.112	0.306
Eliminate RDA loan guarantees .....	0.0	0.1	Reduce maternal and child health grants .....	0.2	0.4	Eliminate Community Policing Program .....	0.286	0.780



Nondefense discretionary spending cuts	1996	1997
Moratorium on new Federal prison construction .....	0.208	0.140
Reduce coast guard 10 percent .....	0.208	0.260
Eliminate Manufacturing Extension Program .....	0.03	0.06
Eliminate coastal zone management .....	0.03	0.06
Eliminate national Marine sanctuaries .....	0.007	0.012
Eliminate climate and global change research .....	0.047	0.078
Eliminate national sea grant .....	0.032	0.054
Eliminate State weather modification grant .....	0.002	0.003
Cut weather service operations 10 percent .....	0.031	0.051
Eliminate regional climate centers .....	0.002	0.003
Eliminate Minority Business Development Agency .....	0.022	0.044
Eliminate Public Telecommunications Facilities Program grant .....	0.003	0.016
Eliminate children's educational television .....	0.0	0.002
Eliminate national information infrastructure grant .....	0.001	0.032
Cut Pell grants 20 percent .....	0.250	1.24
Eliminate education research .....	0.042	0.283
Cut Head Start 50 percent .....	0.840	1.8
Eliminate meals and services for the elderly .....	0.335	0.473
Eliminate title II social service block grant .....	2.7	2.8
Eliminate community services block grant .....	0.317	0.470
Eliminate rehabilitation services .....	1.85	2.30
Eliminate vocational education .....	0.176	1.2
Eliminate chapter 1 20 percent .....	0.173	1.16
Reduce special education 20 percent .....	0.072	0.480
Eliminate bilingual education .....	0.029	0.196
Eliminate JTPA .....	0.250	4.5
Eliminate child welfare services .....	0.240	0.289
Eliminate CDC Breast Cancer Program .....	0.048	0.089
Eliminate CDC AIDS Control Program .....	0.283	0.525
Eliminate Ryan White AIDS Program .....	0.228	0.468
Eliminate maternal and child health .....	0.246	0.506
Eliminate Family Planning Program .....	0.069	0.143
Eliminate CDC Immunization Program .....	0.168	0.345
Eliminate Tuberculosis Program .....	0.042	0.087
Eliminate agricultural research service .....	0.546	0.656
Reduce WIC 50 percent .....	1.579	1.735
Eliminate TEFAP:		
Administrative .....	0.024	0.040
Commodities .....	0.025	0.025
Reduce cooperative State research service 20 percent ..	0.044	0.070
Reduce animal plant health inspection service 10 percent .....	0.036	0.044
Reduce food safety inspection service 10 percent .....	0.047	0.052
Total .....	36.942	58.407

Mr. HOLLINGS. Mr. President, when Members talk of taking walks and waving white flags, what they are really angry about is that a large part of their budget plan has disappeared. I will ask unanimous consent at this time that the GOP alternative deficit reduction and tax relief plan of the year before last be included in the RECORD.

There being no objection, the plan was ordered to be printed in the RECORD, as follows:

**GOP ALTERNATIVE: DEFICIT REDUCTION AND TAX RELIEF—SLASHING THE DEFICIT, CUTTING MIDDLE CLASS TAXES**

The Republican alternative budget will reduce the deficit \$318 billion over the next five years—\$287 billion in policy savings and \$31 billion from interest savings. This is \$322 billion more in deficit reduction than the President proposes and \$303 billion more in deficit reduction than the House-passed resolution contains.

Moreover, the GOP alternative budget helps President Clinton achieve two of his most important campaign promises—to cut the deficit in half in four years and provide a middle-class tax cut. The GOP plan:

Reduces the deficit to \$99 billion in 1999. This is \$106 billion less than the 1999 deficit projected under the Clinton budget.

Even under this budget federal spending will continue to grow.

Total spending would increase from \$1.48 trillion in FY 1995 to more than \$1.7 trillion in FY 1999.

Medicare would grow by 7.8-percent a year rather than the projected 10.6-percent. Medicaid's growth would slow to 8.1-percent annually rather than the projected 12-percent a year growth.

It increases funding for President Clinton's defense request by the \$20 billion shortfall acknowledged by the Pentagon.

Provides promised tax relief to American families and small business:

Provides tax relief to middle-class families by providing a \$500 tax credit for each child

in the household. The provision grants needed tax relief to the families of 52 million American children. The tax credit provides a typical family of four \$80 every month for family expenses and savings.

Restores deductibility for interest on student loans.

Indexes capital gains for inflation and allows for capital loss on principal residence.

Creates new incentives for family savings and investments through new IRA proposals that would allow penalty free withdrawals for first time homebuyers, educational and medical expenses.

Establishes new Individual Retirement Account for homemakers.

Extends R&E tax credit for one-year and provides for a one-year exclusion of employer provided educational assistance.

Adjusts depreciation schedules for inflation (neutral cost recovery).

Tax provisions result in total tax cut of \$88 billion over five years.

Fully funds the Senate Crime Bill Trust Fund, providing \$22 billion for anti-crime measures over the next five years. The Clinton budget does not. The House-passed budget does not. The Chairman's mark does not.

Accepts the President's proposed \$113 billion level in nondefense discretionary spending reductions and then secures additional savings by freezing aggregate nondefense spending for five years.

Accepts the President's proposed reductions in the medicare program and indexes the current \$100 annual Part "B" deductible for inflation. Total medicare savings would reach \$80 billion over the next five years.

Achieves \$64 billion in medicaid savings over the next five years, by capping medicaid payments, reducing and freezing Disproportionate Share Hospital payments at their 1994 level.

Achieves additional savings through reform of our welfare system totaling \$33 billion over the next five years.

Repeals Davis-Bacon, reduces the number of political appointees, reduces overhead expenditures for university research, and achieves savings from a cap on civilian FTE's.

Mr. HOLLINGS. Mr. President, I read:

Accepts the President's proposed reductions in the Medicare program and indexes the current \$100 billion part "B" deductible for inflation. Total Medicare savings would reach \$80 billion over the next 5 years.

Now, with respect to that \$80 billion, the President struggled to find budget savings within the context of health care reform. For that effort, he and the First Lady got ridiculed. If I was his lawyer, this year I would say, for Heaven's sake, do not do it this year. Let them come up with it. You tried and lost Democratic seats in November as a result. Let them try. You did it. So let's not talk about taking a walk.

Mr. President, it is clear to me that Republicans want to come back and accept the President's cut so that they can run around with demonstrations in front of the Capitol and say that it was the President that cut Medicare. Do they think we were born yesterday? They talk about walking all they like, but where is the budget?

During the debate on the constitutional amendment I asked, "Where is the budget?" I said rather than showing us 7 years, just give me 1 year. That is my request this morning. Where's the budget? It is the middle of

March, and under the rules we are supposed to complete the hearings and complete conference by April 15.

Are we just going to come in with a fixed vote and say, "All right, no use offering amendments; we have to report it out now. No use to hear from you, you can be heard on the floor." That is not the way to run things; that is terrible government.

Now, with respect to the other matter, that the balanced budget constitutional amendment failed by one vote. Mr. President, in the next 10 minutes, they could get five votes. The five votes were offered to them time and time again if only they would do what they said they wanted done—namely, protect Social Security.

I notice my friend, James Glassman, on the front of the business page of the Washington Post, wrote an article which was the truth, but it was not the whole truth. Section 13301 of the Congressional Budget Act, signed by President George Bush on November 5, 1990, says that Social Security shall be protected. Unless we honor that law, we will continue to move the deficit, not eliminate it.

That is the game, not to eliminate the deficit, but to move it from the Federal Government to the Social Security trust fund. If they violate section 13301, Mr. President, they can move \$636 billion in the next 7 years from the deficit over to the trust fund.

And who flip-flopped? It is really at best ironic to see Senators meet in front of a placard, and I laugh because I got calls on it, that says I am in a rogues' gallery for keeping my word. They claimed that there were six Senators who flip-flopped. Could it be that I could cast the same stone at those who voted in 1990 for section 13301, and then for the balanced budget amendment to repeal section 13301?

Should I get the pictures of all those Senators and go in the front of the Capitol and holler, "Flip-flop, flip-flop, they broke the trust with Social Security"?

Under the rules, as the distinguished former President pro tempore knows, we are supposed to have the courtesy and decency to call each other distinguished. But 10 minutes later, they have me in a rogue's gallery. It is wonderful serving up here now. The devil take the hindmost and forget about the truth.

The truth is that the majority leader wanted to protect his troops. The truth is that while saying that they were going to protect Social Security, the Republicans were running around saying: "We cannot do it without Social Security funds." I can tell you—you cannot do it with Social Security funds, because all you do is you move the deficit over from the Government over to the trust funds. You are not paying anything. You are taking credit and misleading the people. And with that, the creativity is just starting.



Those who say all they need is \$1.2 trillion in the 7 years are acknowledging that they are going to use Social Security trust funds. If we take Social Security out, it should be \$1.7 trillion. Today's creativity is to get rid of the Department of Commerce, get rid of the Department of Education, get rid of the Department of Energy. Send welfare, send food stamps, send everybody else back to the States; give them the deficit. Give it to Social Security to the tune of \$636 billion. In addition, they say, "We will not raise taxes and we will not cut Social Security benefits, but we are going to recompute the CPI." But check the fine print. Changing the CPI will force many Americans to pay higher taxes and will cut Social Security COLA's for retirees. They are meeting themselves coming around the corner.

But with a lower CPI, they can pick up another \$150 billion. Next, they can go to dynamic scorekeeping and pick up another \$150 billion. If they need more money, they can start selling assets, like the electric power grid, or move to a capital budget.

Oh, we know all the tricks. We ought to get our friend Stockman, who wrote about Dunkirk, and let him come and write about duplicity. There is no discipline coming to this tricky crowd who will not take five votes, or more. All they have to do to get my vote is to let me keep my word, keep section 13301, and keep it there for the next generation.

My crowd—Senator THURMOND and I—are getting our money. It amazes me, but at 72 years of age, you have to take it. But be that as it may, the next generation is going to pay more. When it comes their time to retire, Mr. Parliamentarian, they are going to raise your taxes.

Now, that is what is happening. That is what is happening, and it ought to stop. They ought to quit running around making these silly statements. The distinguished majority leader was on "Face the Nation" Sunday, and I saw him categorically say we are going to protect Social Security. If he really means it, accept this little amendment. You accepted an amendment on the courts. You accepted an exception for borrowed funds. Just except Social Security trust funds rather than repeal section 13301. That is all you have to do to pass a balanced budget to the Constitution.

But do not go around moaning and groaning all over Washington that all we need is to get one vote, get one vote, get one vote. He can walk out here this afternoon and pick up five.

I yield the floor.

#### EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCIS-SIONS ACT OF 1995

The Senate continued with the consideration of the bill.

Mr. HATFIELD. Mr. President, parliamentary inquiry. What is the status of our parliamentary situation?

The PRESIDING OFFICER. The pending amendment is amendment No. 326, as modified. That is to strengthen international sanctions against the Castro government in Cuba.

Mr. HATFIELD. I thank the Chair. At this time, I urge any Members who wish to be heard on this amendment by the Senator from North Carolina [Mr. HELMS] relating to Cuba, to come to the floor and express their views and, hopefully, we may bring this amendment to a conclusion shortly. We have been on this now for a number of hours, and it seems to me that we should bring it to that culmination and get on with other amendments.

So I urge Members to come to the floor if they wish to be heard on this.

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I want to just speak for a very brief time about this amendment that is pending by the Senator from North Carolina. I have just been trying to read through it. It is a 37-page amendment, which is essentially a bill which I gather he introduced earlier, called the Cuban Liberty and Democratic Solidarity Act of 1995.

To my knowledge, there have been no hearings on this bill, and the Senator from North Carolina is the chairman of the committee before which hearings would be held. I have great difficulty understanding why the chairman of the committee with jurisdiction would want to have the issue dealt with without hearings.

It seems to me it is a very important issue, a very important issue of public policy for our country, and one that needs to be thoroughly debated and discussed. Clearly, that cannot be done as an amendment to a supplemental appropriations bill pending before the Senate today.

So I hope very much that we will not proceed to actually enact something like this without having the wisdom to go back and subject it to scrutiny in the hearing process in the committee, in the committee of jurisdiction, which the Senator from North Carolina now chairs. I think that would be the appropriate course to follow.

I have not had a chance to do a detailed analysis of this legislation, but I do think that it would be foolhardy in the extreme for us to proceed and try to adopt it as an amendment at this point.

I did want to make a couple of other points on the general subject of our relations with Cuba, because I know it has been in the news this week. I have been noticing that there are suggestions in the news that the President is considering going back on a couple of things that he did by Executive order this last August. Let me just recount for the Senate what I understand the history of that to be.

We had a very major problem that occurred this last August where the Cuban Government stopped preventing

Cubans from fleeing to the United States by boat. This change in Cuban policy on about the 15th of August caused a surge of migration to the United States. It was the largest since the Mariel boat lift of 1980.

With this situation occurring, 5 days later the President acted to try essentially, as I understood it, to build some leverage for more negotiations with the Cuban Government, and he put in place four measures against the Cuban regime.

First, cash remittances to Cuba would no longer be permitted. Previously, United States citizens could provide up to \$300 each quarter to their relatives in Cuba, which is not, as the President would understand, an excessive amount to send. That works out to about \$100 a month. And I do not think that is an excessive amount to be sending. But we stopped that. The President stopped it by Executive order.

Second, chartered flights between Havana and Miami were to be restricted for those designed "to accommodate legal migrants and travel consistent with the Cuban Democracy Act."

Third, the United States would use all appropriate means to increase and amplify its broadcasts to Cuba.

And, fourth, the United States would continue to bring before the nations and other international organizations evidence of human rights abuses.

Now, the recent news accounts indicate that the President is considering advice from some of his advisers that the first two of those, the prohibition against cash remittances to relatives in Cuba and the prohibition against travel to Cuba, be relaxed again.

I believe the thinking there is that on September 9 of last year the United States and Cuba signed a migration agreement that stemmed the flow of Cubans flowing to the United States by boat. So the immediate crisis, the crisis which had caused the President to put in place those Executive orders, has gone and is now no longer facing us, and the President was considering, or at least his advisers were urging him to consider, a change in that policy back to what it had been before.

Mr. President, I for one hope the President will take the advice that evidently he is receiving from his advisers. I can honestly say to my colleagues here in the Senate that it strikes me as contrary to our own interests to have in place, to continue in place, the policies that are now being discussed in the White House. To say that Cuban-Americans cannot send, cannot remit to their relatives in Cuba up to \$300 per quarter strikes me as unduly onerous and is hurting the very people who we proclaim we are trying to help with all of these sanctions against Cuba.

The distinction which needs to be kept in mind, Mr. President, is how can

we help the people of Cuba without giving assistance to the Government there? And I would say, if there is one way we can help the people of Cuba without giving assistance to the Government, it would be to allow their relatives in this country to remit to them very small amounts as they see fit up to \$300 per quarter.

This is not going to threaten the future of our Republic. I think this is an eminently responsible course for the President to take, to go ahead and repeal or rescind that portion of the Executive order and go on with allowing remittances to relatives in Cuba.

The other issue, Mr. President, also strikes me as one that should be clearly changed by this President, and that is the prohibitions against travel to Cuba. One of the great constitutional rights which I think has been recognized since the beginning of our Republic is the right to travel, the right of Americans to travel.

Now, I understand that there are exceptions. There are occasions where we are in hostility with another government and it is not appropriate for U.S. citizens to travel to that country, or where those citizens are in danger and we do not want to see them travel to another country because of the risk of international incident that that would create. But I do not believe either of those circumstances adequately prevail at the present in this situation to justify prohibiting travel to Cuba.

I would also point out, Mr. President, that the present law which is on the books prohibiting travel to Cuba is not enforced. I picked up the New York Times Sunday Magazine 3 days ago and was reading through it, and there was a big advertisement: "10-day excursion to Cuba."

That is not something which is being advertised for Canadians or for Germans. That is for Americans who want to go to Cuba for 10 days and view downtown Havana and old town Havana and all the other things that are available there. I know Members of this body have traveled to Cuba.

This is a law which is not being enforced. In my view, it is a law which does not make sense at this time in our history, and it is a law which causes all who look at it to wonder about our resolve in enforcing any of our laws relative to Cuba.

So I think that for the President to rescind that portion of his Executive decree would make good sense. I for one believe that is the proper course to follow. At a later time I hope we can have an extended debate about this whole embargo issue. I know it is of great concern on all sides to a lot of people in this country whether we should retain an embargo of Cuba.

However, today I at least want to go on record as indicating that remittances of small amounts of cash to relatives in Cuba should be permitted, in my opinion; travel to Cuba by American citizens should generally be permitted. In fact, it is being permitted

today, since everyone seems to be winking at it or looking the other way or finding ways not get your passport stamped or some other subterfuge so that the penalties which are in the law are in fact not applied. This is a law that does not make sense. We should recognize that the President should rescind those portions of his Executive decree.

Again, getting back to that which I guess is the specific issue pending before the Senate, that is, the proposed amendment by the Senator from North Carolina, again I hope very much we do not take it upon ourselves to legislate a whole new regime of sanctions and embargoes and onerous provisions at this time as an amendment to an appropriations bill. It strikes me as an act which would not be responsible, and I very much hope colleagues would see it that way as well and that the amendment, if it is brought to a vote, would be defeated.

I thank the Chair. I yield the floor.

Mr. SMITH. Mr. President, I am going to follow the Presiding Officer in the chair, and I will be very brief.

Mr. President, I rise in very strong support of the amendment offered by the Senator from North Carolina. I am deeply troubled by some of the comments that I have seen in the press yesterday and today in that apparently President Clinton was considering easing the sanctions on the Castro regime. Either the President has been misled or has misread the will of the American people or he continues to get the wrong advice from advisers such as Morton Halperin because in either case this is a grave mistake.

The attempts to oust Fidel Castro go back many, many years to the Eisenhower administration. It transcends party, for sure; a number of Presidents in both political parties have been steadfast in their attempts to at least bring this blemish on our hemisphere to an end.

Now, when we are just about to cross the finish line, to do anything that would keep that from happening is just a serious mistake. It is not the time to relax our pressure on Fidel Castro. It is time to turn up the heat, not turn it down.

The Castro regime as we all know it is morally and economically bankrupt. It has been for over 40 years. Decades of corruption and communism have left the Cuban people disillusioned, left them in poverty, left them yearning, almost begging, crying out for new leadership on that island nation. For those who are struggling for this freedom and democracy in Cuba, at this very time when we have the chance to win that for them, to move away from that is a serious, serious foreign policy mistake. Those people, the people who suffer at the hands of Fidel Castro, do not want us to coddle him. They do not want us to ease the pressure on this corrupt regime. They do not want us to give him the economic benefits of investment or tourism. They do not want

it, and they are the people who are suffering at the hands of Fidel Castro.

On the contrary, they would like us to do everything possible to hasten this Communist leader's demise, that is what they want, to accelerate his removal from power and to help bring about this transition to democracy.

This is exactly what the amendment of the Senator from North Carolina does. It keeps the pressure on Cuba and it accelerates the planning for a transition to democracy in Cuba and the humanitarian and economic assistance programs that will ensue in a democratic Cuba, which we all are waiting for.

So, I urge my colleagues to reject this effort on the part of the administration to coddle Fidel Castro, maybe not intentionally, but the result is to promote this Communist regime which is now on the ropes, finally. The Cuban people not only need our support, they deserve our support. They deserve it. They have suffered long enough. They need us to turn the pressure up. We are on the threshold, now, of removing Fidel Castro. Many people have said that on this floor and in Presidential offices for many, many years. "One more year, a few more months, Castro will be gone." But we are on the verge right now. This amendment will hasten Fidel Castro's demise. More important, it keeps faith with the Cuban people.

I congratulate the Senator from North Carolina for his amendment, and I am proud to be a cosponsor of it. I urge my colleagues to vote in favor of it and to think very carefully about what this policy, the President's policy, will do to the Cuban people who live under this dictator, No. 1, and, No. 2, the people who await—not only here in the United States but in other nations around the world—who await the opportunity to go back to a democratic Cuba and build that island nation into the country it can and should be in the Western Hemisphere.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, the chairman's amendment on Cuba is a very serious one. Cuba is a country of significance to the United States and our policy toward it should be very carefully considered, measured, and open to a wide range of dynamics which necessarily come up between virtual neighbors.

I have been one, like the chairman, who has supported an aggressive policy toward Cuba which will promote democracy and respect human rights. Like the chairman, I believe that was, in large part, why we fought the cold war. It was part of the effort.

But I advocate a different approach.

To my mind, further isolating Cuba is just not an effective approach. In a world where we are trying to establish multifaceted, global post-cold-war relationships, it makes little sense to ignore that your neighbor exists, or to try to build regional coalitions around

a major island, as if there is a black hole in the Caribbean. We cannot do much to push democracy and respect for human rights if we will not even talk to the Cubans. Indeed, we only hurt ourselves if we pretend that a country—particularly if it is objectionable or threatening—does not exist. That is what I am afraid is the direction of this amendment.

I also think that pushing our friends and allies to also impose embargoes on Cuba is a waste of diplomatic chits. It is a waste of time. We have much higher priorities with countries like Canada and Great Britain, and most of Latin America than to try to ask them as a high priority to further isolate Fidel Castro. It would be far more constructive to work with our regional partners to develop a post-Castro policy—a policy which will help rebuild Cuba economically, establish democratic institutions, and strengthen regional relationships, including trade and investment opportunities when the time is appropriate.

Finally, I am a little amused that anyone could even advocate increased funding for TV Marti. This program is a proven failure both technically and substantively.

Among its programming highlights have been baseball—a popular sport in Cuba—and sitcoms such as “Kate and Allie,” “Fame,” and “Que Pasa, USA?,” a show about a Cuban-American family adapting to Miami.

I am told technically, it is almost inoperable. I have had occasion to refer to it as a “balloondoggle.” Its signal is jammed by the regime—that is, when the signal reaches Cuba. Transmission is faulty at best most of the time.

The programs are produced each day in Maryland. They are then uplinked—beamed up—from Washington and relayed to an aerostat balloon—a blimp known as “Fat Albert”—which hangs on a tether 10,000 feet above Cudjoe Key. From there it is projected to Havana.

However, because of inclement weather, the blimp can only be flown sometimes. Often volatile weather conditions knock Fat Albert off its tethered cable. In 1991, the blimp was found in the Florida Everglades, after a \$35,000 search, where it laid damaged for months.

TV Marti is even more useless when you think that we have an effective program in Radio Marti. Radio Marti is not jammed, and I am told, unlike TV Marti, it enjoys a large Cuban audience.

To recommend more funding for TV Marti—to single it out for increases in a year when we are slashing so many other worthwhile accounts—is just ludicrous. It's hardly the way to balance the budget.

It is just the opposite.

These are just some of the varying views on Cuba. Some of my other colleagues on the Senate Foreign Relations Committee, including the ranking member of the full committee, Sen-

ator PELL, and the ranking member of the subcommittee, Senator DODD, favor lifting the U.S. trade embargo. I may want to link such a proposal to human rights reforms in Cuba, which apparently are quite needed.

Therefore, instead of conducting an ad hoc, seat-of-the-pants debate here today, I would respectfully request that the chairman of the Senate Foreign Relations Committee hold hearings in the committee on this topic. I know that the ranking members of both the full committee and the subcommittee would work closely with you to make that happen.

A full examination of all the options, proposals, and ramifications is long overdue, but quite necessary. There are serious implications to what we do: The refugee flow we witnessed this summer is but one example. That shows this has great implications, not just for Cuba but for us.

It would be to the credit of the committee to hold such hearings and shape the public debate on United States-Cuba relations in a deliberative and constructive way.

I am sure we all agree that United States policy toward Cuba is too important and too complicated to offer statements today with full confidence that we are doing the right thing.

I will very much appreciate it if the chairman will consider that possibility.

The PRESIDING OFFICER (Mr. SMITH). The Senator from Rhode Island.

Mr. PELL. Mr. President, I commend the Senator from Wisconsin on his words, which I agree with and endorse.

Mr. President, with all due respect to my esteemed colleague, the senior Senator from North Carolina and chairman of the Committee on Foreign Relations, I add that I, too, strongly oppose the amendment he has offered to the pending DOD supplemental appropriations bill.

First, this amendment is virtually identical to legislation the Senator introduced earlier which was referred to the Committee on Foreign Relations. Clearly, the committee should have hearings on this legislation, so that the full impact of these proposed changes in U.S. policy can be publicly discussed prior to Senate action. Although I oppose the policy direction set forth in the amendment, as the ranking minority member of the Committee on Foreign Relations I will work with the distinguished chairman of the committee to facilitate committee consideration after full public hearings. The Senate should have the views and recommendations of our committee prior to voting on legislation as important and significant as this.

Second, the distinguished chairman and I both want to see a free and democratic Cuba, but we disagree on the policy our country should adopt to achieve our common goal. I have long spoken to the need for a serious reexamination of our country's policy toward Cuba. However, the chairman's

amendment clearly does not reflect the direction I had in mind.

Yesterday I was encouraged to read that President Clinton is considering taking some modest steps toward altering the existing sanctions policy in favor of more communication and contact between the Cuban and American people—and I must say I applauded that initiative.

Existing United States policy, consisting of a rigidly enforced embargo and an aversion to any significant dialog with Cuba, has, as best I understand them, three goals: To promote a peaceful transition to democracy; to support economic liberalization; and to foster greater respect for human rights while controlling immigration from Cuba.

These three goals have guided our national policy toward Cuba for 30 years, Mr. President, yet there has been scant progress toward achieving any of them. There is still a government in Cuba which is not freely elected, which is only just beginning tentative steps toward a market economy, and which continues to fall short of international standards in the area of respect for human rights.

Therefore, I can only conclude that this policy is not only outdated and ineffective, but, far worse, it is counterproductive. We should be ratcheting up and not down. It seems to me that the time has come to admit the obvious. The policy is a failure and will never achieve its stated objectives.

Consequently, it would be a serious mistake, in my view, to intensify the embargo and impose even more stringent measures on the people of Cuba as proposed in the pending amendment.

I believe that, rather than tightening the embargo and further isolating Cuba, the United States should expand contact with the Cuban people and enter into negotiations on all issues of mutual concern to our two countries, including the lifting of the economic embargo.

For example, I believe the President will find a great deal of support within the Cuban-American community to a rolling back of last August's sanctions that were imposed during the Cuban migrant crises—sanctions that have prohibited Cuban-Americans from sending money to family members in Cuba or visiting them, except in cases of dire emergency. This would be a small first step in the direction I support, but we must go much further.

I say this not because of any regard for the government in Havana, a one-party state with a record of intolerance toward dissident voices within the society. Rather, I say this because, if our country and Cuba are to break the impasse that has existed in our relations for more than three decades, someone must take the first step in that direction. We are large enough and strong enough, and we can afford to do so.

I believe, and have said many times, it is in the U.S. national interest to take that first step—to agree to sit

down at a negotiating table, where all issues can be discussed.

In the meantime, there should be greater contact between our own citizens and the Cuban people. Such contact will serve to plant the seeds of change and advance the cause of democracy on that island. Just as greater exchange with the West helped hasten the fall of communism in Eastern Europe and the former Soviet Union, so, too, it can achieve the same results much closer to our shores.

I well remember when I was living in Czechoslovakia. The people would come to visit America and then came back. They came back much less convinced of communism than when they went. The more exchange of people and ideas the more likely communism is to erode. To erode means contacts, and this is what is necessary.

Liberal Democrats are not alone in holding this view. Former President Richard Nixon wrote shortly before his death last year that, "we should drop the economic embargo and open the way to trade, investment and economic interaction." Learned people across the political spectrum have made similar comments and observations about the policy.

Why? Because they have all observed across the globe that policies which foster greater commerce and communication between countries work and those which engender isolation and enforced misery do not work. We have a choice. Let's take the one which works. It has been impossible for those who would seek to defend the status quo to cite an instance in modern history where a policy of forced isolation has successfully transformed a totalitarian state into a democracy.

United States travel restrictions to and from Cuba are among the most prohibitive in the world—this to an island that is only 90 miles from our shores. At this point, only United States Government officials and journalists have unrestricted access to Cuba and only a small percentage of Cubans who apply are allowed to travel to the United States each year. The pending amendment would restrict binational contacts even further.

Mr. President, do we as a nation not have enough faith in the power of our democratic system and the strength of our ideas to let contact between our citizens and other peoples flourish? I would hope so.

In my view, the strongest advocate for democracy and a free market economy would be a Cuban student or family member who had recently visited the United States and seen the sharp contrast between our way of life and that in Cuba.

Current policy not only denies the United States the opportunity to promote positive change in Cuba, but it increases the likelihood of widespread political violence and another mass exodus of refugees to Florida. The Cuban Government, which is vigorously pursuing expanding political and economic

ties with the rest of the world, is unlikely to give in to unilateral United States demands. Nor is there much indication that a viable opposition currently exists within Cuba strong enough to wrest power from existing authorities.

We have made it very easy for Cuban authorities to justify the lack of political freedom in Havana. They simply point to the external threat posed by a hostile U.S. policy.

I am concerned that adoption of the pending amendment would add further justification to the Cuban Government's repression—quite the opposite effect from that intended by the sponsors of this amendment. That justification would lose all credibility were we to adopt a more reasoned U.S. policy. Cuban authorities would then be hard pressed to justify the denial of political rights and economic opportunities that the Cuban people readily observe elsewhere.

Mr. President, I have urged the administration to take the first step toward a new and enlightened policy—a policy that can once again unite Americans and Cubans. Consequently, I urge my colleagues to join me in sending a message that it is time to open up a new and constructive dialogue with Cuba by voting against the pending amendment.

The best reason for doing that—as we see what has happened in the past few years as the Iron Curtain has dissolved—is the fact, as exposure is being increased between the East and West, that communism has been eroded as seen by its present disappearing act and what then follows in Europe today.

I yield the floor.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. HATFIELD. Mr. President, I again urge any colleagues who wish to be heard on this pending amendment on Cuba to present themselves on the floor. We have a number of other amendments pending, that we are at least aware of, that Senators will ask to be considered.

We do not want to lose a lot of the time waiting for that to happen. So let all Members be on notice that we are prepared to dispose of this amendment in an orderly way at some point soon and/or take up any other amendment and set this one aside.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELMS. What is the pending business, Mr. President?

The PRESIDING OFFICER. Amendment No. 326, as modified.

Mr. HELMS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. HELMS. I thank the Chair. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, I am sorry that I missed my friend and colleague from North Carolina. He was on the floor here. I gather he has gone to a conference lunch.

I was unable to talk to him, and I am unclear whether or not this amendment will be withdrawn or voted on. I will work on the assumption it will be voted on. If it is not, then these remarks can be used in the context of when it comes up at some future date. I am unclear as to whether or not we will actually have a vote on the amendment.

Let me address, if I could, Mr. President, the amendment that the Senator from North Carolina has proposed and, at the very outset, urge that all of our colleagues read this amendment very, very carefully.

This is an amendment that does not deal with the present situation in Cuba. There is nothing that I know of in this amendment, with the possible exception of changing the frequency of TV Marti to ultra-high frequency to deal with the present situation. The amendment is geared to deal with the post-Castro situation in Cuba.

For that reason, knowing full well how a strong majority of my colleagues feel about boycotts and embargoes and so forth on the present regime, I strongly urge them to look at the amendment because it does not deal with primarily what exists now, but rather what comes afterward.

My concern is that this could have a very, very negative impact on our ability to deal in the post-Castro period, whenever that comes, hopefully sooner rather than later. It seems to me this amendment will complicate our ability to assist any post-Castro regime as it grapples with the difficult period of transition to democracy. We do not even know what that government may look like. It may be a carbon copy of what exists now. It may be a flourishing Jeffersonian democracy.

We have been asked to take a position, if we adopt this amendment, that would predetermine in many ways what kind of government would follow Castro and, I think, tie the hands of not only our own Government but of United States industry and business from doing business in Cuba by making them subject to potential civil lawsuits by persons who may later claim to have owned property at some point in Cuba.

United States companies are clearly not going to set themselves up for such lawsuits, and they will stay away from Cuba until all property claims are resolved. What I mean by this is the amendment says no assistance can occur in Cuba, no businesses can do business in Cuba in a post-Castro regime until all property claims dating back to 1959 are resolved. I do not know of anyone who would go down and want to make investments in Cuba with the possibility that at some future point a claim may arise which would prohibit them from engaging in a business practice to assist this new government, whatever it may be, in Cuba.

That will not be the case, obviously, with foreign interests who want to do business in Cuba. They will not be constrained by such limitations.

So I urge my colleagues to look carefully at this amendment because, again, I understand the intent. Senator HELMS cares deeply about expropriation of property, and he is right to do so. We have had a number of cases in El Salvador and, I think, in Nicaragua where there have been some pending. I have been supportive of them in those efforts to see to it that American citizens who own property that was expropriated get the property back. But I do not think we have ever taken the position that nothing ought to happen in these countries until all the matters are resolved.

From time to time, we exerted pressure on those governments. We held back foreign aid, we provided aid, we held it back—we used the levers to try and achieve the desired results. Here we are now about to take a position in a post-Castro Cuba in which we are saying no matter what government emerges, no matter what the circumstances may be, that you are not going to be able to do business there until all the claims, which potentially, I guess, go back to 1959 when Castro took over, have been resolved.

So I think, in a sense, it gets way beyond what we ought to be doing. Even if there are those who see merit in this approach, this is a complicated matter. It is not a simple matter. It really not ought to be the subject of an amendment on the floor. This ought to be the kind of legislation that is at least subject to a couple hours of discussion and hearing as to what the implications are in terms of the Claims Settlement Act of 1949—how does it work; could we apply this internationally, as the amendment would seem to suggest?

The distinguished Senator from North Carolina is now the chairman of the Foreign Relations Committee. I could almost understand if someone in the minority were offering this amendment on the floor because they are unable to get a hearing or there was no ability to conduct some analysis of what the amendment might be. But here the chairman of the committee is offering a floor amendment without the full Foreign Relations Committee or even a subcommittee thereof having

an opportunity to analyze what the implications might be.

So I know that any amendment that has "Cuba" on it, we have a tendency automatically to vote for it. I just urge in this short amount of time that my colleagues take a look at this. I think this goes a lot further than anything that has ever been suggested in any other place, that I know of, in the world.

I suspect it may have been motivated in part by a story that appeared in the Washington Post about lessening some of the sanctions that were imposed, I think, last August during the deluge of humanity that poured out of Cuba and how we were going to work with that. That situation having been resolved, as I understand it, some of the sanctions we put in place then, in light of what was happening, we now may be lifting, although, frankly, I do not have any specific personal knowledge as to the genesis of that particular story myself.

But that aside, it seems to me that we are breaking some significant new ground as to who would be eligible to be compensated under the International Claims Act of 1949 which, by the way, Mr. President, is the primary mechanism for settling U.S. persons' property claims, to make eligible individuals who are not citizens of the United States at the time of expropriation and who may not even be citizens today. This is not international law, international law standard, I point out, and may seriously complicate efforts to resolve claims of individuals who are U.S. citizens at the time of expropriation, which is where our prime interest ought to be. Not that we are unsympathetic to non-U.S. citizens' claims. But, it seems to me, our thrust in this body ought to be focused on what happens to U.S. citizens where expropriation has occurred.

To invoke the International Claims Settlement Act, it seems to me, is going to complicate this situation dramatically at the expense of our own people. That is what I am really trying to emphasize.

I said at the outset that there is a piece of this that one might argue does have some immediate effect on the Castro government. The bill would require the President to convert TV Marti to ultra-high frequency UHF broadcasting but fails, I point out, to provide the necessary funding to accomplish this effort.

I think we have been through a pretty significant debate with overwhelming support in this body for unfunded mandates. Here we have a mandate that requires the change of frequency and no allocation of resources to do it. I just raise that as a further point.

Mr. President, I will not raise a point of order at this point, but I do believe this is legislation on an appropriations bill. I want to make sure everyone has an opportunity to discuss the amendment, and certainly I would not do it without informing my colleague from

North Carolina ahead of time that I intended to do that so that he would have an opportunity to exhaust whatever remarks he wanted to make about his amendment. But at an appropriate time, Mr. President, if the amendment is not withdrawn—and maybe it will be withdrawn. I gather there is some discussion about offering this at a later time. I urge we have a hearing on it.

Senator COVERDELL—I have not had a chance to talk with him—who is now chairman of the Western Hemisphere Subcommittee, I suspect would be willing to have a subcommittee hearing if the full membership was not interested in examining this issue. I certainly would take the time to do it with him. If not that, then the full committee.

I am a little surprised in a way that we have the chairman offering an amendment on an appropriations bill that he has the power on his notice to call a hearing on this issue so we really understand what the issues are.

Again, my emphasis is primarily that this could be very, very deleterious to U.S. business interests. I do not know of any business which is going to want to make investments knowing at some date there may be a cloud on titles of property that have not been resolved. This will not be the case with the Spanish and other Latin American countries, the European Community, the Canadians, our friends to the north who are already involved there. They will be going gung ho in the post-Castro period. Our business interests, which may see some real value in being involved in Cuba, I suspect would be very reluctant to get involved if this amendment is adopted.

Again, I urge my colleagues who may be listening, or their staffs, please take a good look at this amendment. Again, anything that has "Castro Cuba" on it has almost an immediate Pavlovian response to the amendment. This is all post-Castro regime. So you are not doing anything to Fidel Castro with this amendment, except the UHF issue, and that one you ought to take a look at.

But the other issues are all after Castro and what the implications are for us. I am not sure Members of this body necessarily want to be in a position without knowing what that government looks like. We prohibit all assistance to that new government in this amendment, except just the most dire humanitarian kind of assistance. Maybe that is what we want to do when that new government emerges. I do not know if anyone can say with any certainty today—and I have studied the issue for a long time—I cannot tell you how that issue is going to resolve itself when Castro leaves, dies, or whatever else happens. To say today no matter what happens we are going to put in law a prohibition of doing anything, it seems to me to go far beyond where we ought to be going in the consideration of an appropriate foreign policy program.

So I urge, Mr. President, last again—just to emphasize—please take a look

at this amendment. I urge my colleague from North Carolina not to proceed with the amendment. That will be the best course of action so we do not have to have a vote on this. But if he does proceed, I will raise the point of order about it as legislation on an appropriations bill, and if I fail at that, then obviously urge my colleagues to defeat the amendment.

Again, take a good hard look at this before you walk in here and just hear the words "Castro Cuba" and decide it is OK. I think a lot of people, particularly the majority here, would have some strong concerns about the implications for U.S. interests.

Mr. President, I yield the floor.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. Mr. President, I concur completely with my colleague from Connecticut.

Foreign policy should reflect the national interest, not the national passion. Our policy in Cuba reflects the national passion, not the national interest. If the old leaders of the Soviet Union and Cuba had gotten together and said let us try and figure out a United States policy that will keep Castro in power, they could not have figured out a better policy than the policy we have followed that made Castro a hero to his own people, that isolated him.

I think we need, if there is such a word, to de-isolate Cuba. I think, for example, we ought to at a minimum sell food and medicine to Cuba. What harm comes to the United States if we sell food and medicine to the people of Cuba? And as I read this amendment, all of a sudden we are saying to countries all over the world, if you do not follow the policy that we and we alone are following—no other country in the world has this policy toward Cuba—if you do not follow our policy, then you are going to have economic reprisal against you.

That is not the way. It may have been, immediately after World War II, when we had better than 50 percent of the world's economy, we could muscle our way around like that even though it would not have been good public relations for the cause of freedom and democracy. Today, we are one-fifth of the world's economy. Yes, we are the only superpower that is left, but it just is not rational to follow this kind of policy.

I think we ought to be sitting back and asking ourselves, No. 1, is Castro a threat to the United States? I think the answer to that clearly is he is not a threat to the United States. No. 2, is he violating basic civil liberties, human rights, in Cuba? Yes. He is, in fact, probably the worst violator of human rights throughout this hemisphere.

Then the question is, How do we get them to change their policy? That is what we ought to be asking ourselves, not how we can pick up a few votes

back home from people who want us just to corner him. You corner a dog, you corner a snake, and they lash out.

I think we ought to be taking another look at this. I think the Helms amendment is well intentioned. It will not serve the national interest, not serve our national policy at this point.

#### AMENDMENT NO. 327

(Purpose: To delete the rescission of funds for the National Security Education Trust Fund)

Mr. SIMON. Mr. President, I have an amendment, but I do not see either of the floor managers present.

I think it would not violate anything if I asked unanimous consent to set the Helms amendment aside so that I can offer an amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. SIMON. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Illinois [Mr. SIMON] proposes an amendment numbered 327.

Mr. SIMON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 22, strike out line 16 and all that follows through page 23, line 2.

On page 22, line 2, strike out "65,000,000", and insert "81,000,000" in lieu thereof.

Mr. SIMON. Mr. President, this is an amendment that restores the National Security Education Act. This was introduced by our former colleague, Senator David Boren, and was cosponsored by Senators NUNN and WARNER. It was signed into law by President Bush.

Before he leaves, I say to my colleague, the former chairman of the Senate Foreign Relations Committee, because I know of his interest in this field, this is our former colleague, David Boren's bill. It sets up studies in foreign languages, in these isolated foreign languages where we have very little knowledge, and it is extremely important. I just mention it to Senator PELL because I know of his interest in this area.

Mr. PELL. I thank the Senator very much and share the Senator's admiration for Senator Boren. I think some of his ideas about how we get more bipartisanship should be followed.

Mr. SIMON. I thank my colleague from Rhode Island.

In Desert Storm, we sent 500,000 American troops over there, and we found we had only 5 people who could translate Iraqi military documents. The need for having knowledge in these areas is extremely important. I called David Boren, who is now president of the University of Oklahoma, and I say to my colleague from Mississippi, he indicated not only were Senators WARNER and NUNN cosponsors of this, but Senator MURKOWSKI and Senator COHEN, and he also indicated that Sen-

ator LIEBERMAN and Senator FEINGOLD had been of help to him in this.

The other day, I asked the Secretary of Defense about this, and he said this is a small item but extremely important. He said it really is important that we have people who learn these isolated languages.

My reason for being involved in this is back when I was a member of the House Education and Labor Committee, the then Secretary of Education, Ted Bell, asked to zero out our foreign language program, and Cap Weinberger, who was then Secretary of Defense, and Bill Casey, who was then head of the CIA, contacted me and said this is extremely important for us. This is an area where we have serious deficiencies.

My hope is that the managers will be willing to accept my amendment. But if they are not, then I would want to press forward to have a vote on the amendment.

I will yield the floor at this point, and the floor managers can have a chance to look at this. But, again, this is the measure, the chief sponsor of which was Senator David Boren, and Senators NUNN and WARNER were cosponsors. President Bush signed the legislation. The Secretary of Defense says this is very important for the Defense Department. It is a relatively small amount we are talking about, \$6 million. The offset is more than the \$6 million because to handle the outlay portion of that, we need to do better than that.

Mr. President, I yield the floor.

Mr. LOTT. Mr. President, if I could at this point just observe the absence of a quorum momentarily so we can discuss this matter with the distinguished subcommittee chairman.

The PRESIDING OFFICER (Mr. BROWN). The absence of a quorum has been suggested. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I understand full well the amendment of the Senator from Illinois. It is one directed toward preserving the Boren fund concept, that provided for education, particularly educational opportunities in foreign cultures and languages. The House had totally eliminated this program. Our committee tried to fund the ongoing grants and those that had already been approved under the Boren plan. We provided for the elimination of the fund at the end of the settlement of the obligations that have been made to date.

I think there is a serious question about the redundancy in the defense bill of moneys for research and activities of this type. The university grants under the current bill, this year,



amounted to \$1.6 billion. We are looking now at, really, a difference of some \$16.5 million, as far as the amendment of the Senator from Illinois is concerned, and our position as represented by the Senate report.

My advice—and I have conferred with my good friend from Hawaii—my advice to the Senate is we accept the amendment of the Senator from Illinois, knowing full well that the full spectrum of the House's recommendations will still be in conference. We are going to battle the whole subject. We might as well battle it from the point of view of the Senator from Illinois as from the point of view of our proposal to the Senate. In the way the Senator from Illinois presented it to us, it does not affect the outlays or does not affect the basic authorizations under the bill available to the Department of Defense for this current fiscal year.

Under these circumstances, unless the Senator from Hawaii wants to comment, I am prepared to accept the amendment of the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Mr. President, I have conferred with the chairman of the committee and I am prepared to accept his recommendation.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 327) was agreed to.

Mr. SIMON. Mr. President, I move to reconsider the vote.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SIMON. Mr. President, I thank my colleagues. I thank them not only on my behalf but on behalf of our former colleague, Senator David Boren. I will call him and tell him the news. And I believe I am safe, after my conversation with the Secretary of Defense, in saying the Secretary of Defense also thanks you.

Mr. STEVENS. The ghost of Boren is alive and well on the floor of the Senate, Mr. President. However I am not sure that will be the case in the conference. We will do our best.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER OF PROCEDURE

Mr. LEAHY. Mr. President, I ask unanimous consent that I be allowed to continue as though in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE REPUBLIC OF IRELAND

Mr. LEAHY. Mr. President, I assure my colleagues, the distinguished managers of the bill and my good friends, that I will not hold the floor long. I noted that nobody else was speaking just at the moment.

Mr. President, a couple of weeks ago I went on Senate business to the Republic of Ireland in Northern Ireland and the United Kingdom over a 3- or 4-day weekend as one who has been involved in the international fund for Ireland. It was at a time just prior to the publication of the framework Document of Peace between the Republic of Ireland and the United Kingdom. Our distinguished former colleague, Senator George Mitchell, was also there representing the President of the United States. He and I had various meetings in Dublin and elsewhere. I have discussed those before.

But I thought of this earlier this week. I picked up the New York Times and saw under a heading "Belfast Journal" a very, very moving article by James F. Clarity. I will speak to that in just a moment.

What I noticed were rather hopeful signs as I drove from Dublin to Belfast and went into Northern Ireland leaving the Republic of Ireland. The gates and barriers and bomb detectors, police and military that you normally see across the border were absent. In fact, you could see the marks on the ground where the speed bumps had been removed. And you did not see the all-pervasive military patrols, at least in the daylight hours throughout Belfast.

In Belfast, I met with both Protestant and Catholic groups. They talked of their fears, their concerns, and their hopes. Then on Sunday I met with some mothers who spoke to me—it really makes no difference which faith is involved here because I heard the same thing from all mothers I spoke with—that for the first time since the troubles began they were able to walk with their children on the streets and not have to worry about car bombs. For the first time they did not have to worry about the knock in the middle of the night of somebody telling them their husband will be killed or witness such a killing in front of the rest of the family.

The presence of armed authorities on the streets of Belfast were greatly diminished, in contrast with the Republic of Ireland where the occasional police officer you might see goes unarmed. These were the hopeful signs. The "War Widow's" journal is so moving.

I ask unanimous consent that I might put the whole article in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### A WAR WIDOW'S THOUGHTS AT PEACE'S DAWNING

(By James F. Clarity)

BELFAST, NORTHERN IRELAND.—Pauline Hegney, the mother of four young children whose husband was slain three and a half years ago by Protestant paramilitaries on a Belfast street, prays every day that the Government peace effort will work and that there will be no more killings here in the name of patriotism.

She is among the tens of thousands of survivors of the 3,172 Protestants and Roman Catholics who have been killed in sectarian warfare here since 1969. She speaks with a soft Ulster lilt and there is passion in her voice, but no hatred.

Her husband, Karl, an unemployed house painter, was gunned down in the street on his way home from a pub. Both his widow and the police say he had no involvement in the Irish Republican Army. The police told her they had an idea who the killers were, but no proof, she said. No one has been arrested.

She was left with their four young children and a job at the Europa Hotel in the city center, as head of the banquet dining room staff. But the I.R.A. viewed the hotel as a major economic target and bombed it frequently. The bombings often shut it down, putting her out of work, sometimes for months.

The I.R.A. declares that it is fighting for Northern Ireland's Catholics. Mrs. Hegney, who is Catholic, said she prays for them, and for the Protestant guerrillas too.

She told her children that "a sick man" had killed their father and that he was now in heaven with Granny, his mother. Her daughter, Julie-Anne, said that at first she hated Granny for taking him away and that she saw her father return to her room one night. She said she wanted to die and go to heaven with him. Lately Julie-Anne, who is not 8, says only, "I wish I could see him, mummy, for one wee minute."

Mrs. Hegney joined a group of Catholic and Protestant widows of guerrilla war victims, and they exchange their feelings and problems.

But the cease-fires that have raised the hopes for peace and for a normal life for most people in Northern Ireland also left her and the other widows feeling depressed, she said.

"During the trouble, we were all in it together," she said. "Everyone in Belfast was affected. But when the peace came, I felt isolated. Other people can get on with their lives. We can't."

Last October, as reports spread that the Protestant guerrillas, following the lead of the I.R.A., were going to call their own cease-fire, she hoped it would not be on Oct. 13, the third anniversary of her husband's killing, but it was announced on that day.

"It didn't feel right," she said. "I was praying for peace, but I didn't want it on that day." Now, she said, she faces the prospect of seeing representatives of the guerrillas become celebrated personalities as they approach formal negotiations with the British and Irish Governments and the other political parties in the North.

"I don't like the idea that after they've killed so many people, they'll be sitting down to say what the future will be, when people like these destroyed my children's future. But if it stops people being murdered, I've no objection."

Her children still miss their father. Karl Jr., who is 14, wants to be a lawyer. She said she asked him if he would defend someone he knew to be guilty of a "terrible crime." Karl said: "Would you serve him if he came into



the Europa. You do what you're paid to do." She shrugged.

"I'll get through it," she said. "I'm a struggler. I've begun to write about it."

In her account of the night her husband was killed, she wrote: "We never know what's to come for us, though, do we? I put the boys to bed when their daddy went out. I went into the kitchen and had a little laugh to myself when I saw the saucepans sitting on the cooker. One was full of potatoes and the other one had sprouts in it all ready for the Sunday. He also had the roast cooked. I thought how organized my Karl is."

"A very curt male voice came on the phone saying he was a police officer and asked if I could make my way to the police station as my husband was in the hospital seriously ill. I lost my mind at that moment and I don't think I have actually found it all again."

"The nightmare for me had only just begun. I went to see Karl lying in that operating theater where he had died with the doctors fighting to save his life. He lay there still and cold, no life left in the body of the man who had taken the core of me, loved me and made my life worth living. I thought how could he leave me? What would I do without him? How was I going to live without him?"

"I held Karl's hand and it was like holding the hand of a wax dummy. It felt so strange. I didn't cry. I just asked him to give me strength to get through the next few hours. I went and sat at the top of the stairs waiting for the first of the children to waken. I knew this would be our 5-year-old daughter, Julie-Anne. She was wearing her little pink and green pajamas and she still had her hair in pigtails from the day before. She was just so beautiful."

"What I was going to tell her was going to rob her of her little innocent childhood. She came over to me with her wee arms out and said, 'Where's my daddy?' I sat her down on my knee and told her that her daddy had gone up to heaven to see his own mummy, her granny Nancy. 'When's he coming back?' she said. I explained to her that some sick man had shot her daddy and that he had died and would not be coming back. She had to blame somebody, God love her, so she started crying and said she hated her granny."

"I told our three little boys what had happened to their lovely daddy. None of them spoke. Karl and Michael began to cry. Mario just sat there. I think he was in deep shock. I put my arms around all four of them and all but Mario cried sorely for what we had lost."

Mr. LEAHY. Mr. President, let me read something from the journal of a mother who lost her husband 3½ years ago. She wrote in her account:

We never know what's to come for us, though, do we? I put the boys to bed when their daddy went out. I went into the kitchen and had a little laugh to myself when I saw the saucepans sitting on the cooker. One was full of potatoes and the other one had sprouts in it all ready for the Sunday. He also had the roast cooked. I thought how organized my Karl is."

A very curt male voice came on the phone saying he was a police officer and asked if I could make my way to the police station as my husband was in the hospital seriously ill. I lost my mind at that moment and I don't think I have actually found it all again."

She went on to say how when she arrived her husband was there but no longer alive, and speaks of her 5-year-old daughter awakening in the morning. She said:

What I was going to tell her was going to rob her of her little innocent childhood. She

came over to me with her wee arms out and said, "Where's my daddy?"

Mr. President, there is more to it, of course, and it will be in the RECORD. But it is a tale that I have heard from mothers and widows throughout Northern Ireland.

And really to that 5-year-old daughter, and those other children, it makes no difference whether the killer was Protestant or Catholic, whether they were unionists or loyalists in their allegiances, the fact is, of course, the children have lost their father. Those who are left in the family find their lives unalterably altered, their hopes and dreams are dashed.

I only hope, Mr. President, the peace we now see—a still somewhat tenuous peace—in Northern Ireland might hold and that all the parties involved, all the parties involved, might make an effort to make the peace lasting; that those who feel that they have to hold to past prejudices or to some rigors of diplomacy that may have made sense in a different age will now come together and start showing the kind of flexibility and willingness to talk to all parties, and all parties can sit down and talk together.

Mr. President, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

#### EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCIS-SIONS ACT OF 1995

The Senate continued with the consideration of the bill.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the pending amendment be set aside so that I may offer an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 328

Mr. MURKOWSKI. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. MURKOWSKI] proposes an amendment numbered 328.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 25, between lines 4 and 5, insert the following:

SEC. 110. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for assistance to or programs in the Democratic People's Republic of Korea, or for implementation of the October 21, 1994, Agreed Framework between the United States and the Democratic People's Republic of Korea, unless specifically appropriated for that purpose.

Mr. MURKOWSKI. Mr. President, the amendment that I offer today is attached to H.R. 889, Department of Defense supplemental appropriations bill.

Specifically, the amendment, which I offer on behalf of myself and the majority leader, Senator DOLE, requires that funds to be used under this act for implementation of the framework agreement, which was dated October 21, between the United States and the Democratic People's Republic of Korea—that is North Korea—must be specifically appropriated for that purpose.

What the amendment would prohibit in the future is the following: It would prohibit using emergency provisions to implement provisions of the agreed framework with North Korea; second, it would prohibit using reprogrammed funds to implement the provisions of the agreed framework with North Korea.

Mr. President, I feel the amendment is necessary because as my colleagues will recall a number of Members joined Senator DOLE and myself in adding similar restrictive language in the last Congress to the foreign aid appropriations bill and defense appropriations bill. Although both of those measures passed overwhelmingly, they were stripped at the conference on assurances from the administration that the United States was not preparing to give aid to North Korea.

However, since signing of the agreed framework, the administration has already seen fit to use \$4.7 million in emergency Department of Defense funds to pay for the provision of heavy oil for the benefit of the Democratic People's Republic of Korea.

Further, the administration has asked for \$10 million in reprogrammed Department of Energy funds to pay for the treatment of spent fuel in North Korea associated with their existing nuclear reactors. I have recently learned that the administration is prepared to ask for an additional \$5.4 million of State Department funds to pay for startup costs of an international consortium known as KEDO.

Many of us were dismayed that the administration chose to use emergency funds to pay for the provision of heavy oil—essentially giving foreign aid to North Korea without congressional authorization, and despite all the restrictions in law prohibiting any assistance to the DPRK. The administration lawyers downtown found the only provision they could to get around congressional approval.

This amendment would prohibit such actions in the future. The amendment prevents the administration from going around Congress again to find additional funds to assist North Korea. If the administration is firmly convinced that such expenditures are in the national security interests of the United States, then the administration should first come up and ask for specific appropriations for that purpose.

The overall cost of the provision of the two light-water reactors and hundreds of thousands of tons of interim energy to the North Koreans is going to cost billions of dollars. The light-water reactors alone are estimated to cost over \$4 billion.

The administration has testified to committees of jurisdiction that the U.S. portion of the costs of implementing the agreed framework will be in the "tens of millions of dollars." The President's fiscal year 1996 budget requests \$22 million specifically for the Korean Energy Development Organization, which is KEDO. I am informed that the Department of Energy will seek to use fiscal year 1996 funds to support spent fuel related activities in North Korea.

Mr. President, I intend to offer this amendment to all subsequent appropriations bills, if necessary.

Mr. President, at this time, I would also like to call my colleagues' attention to an event scheduled for tonight that will likely have far reaching implications for whether the agreed framework with North Korea will be successful.

Tonight, something called KEDO is supposed to kick off with a cocktail party in New York. Some of my colleagues might be wondering what KEDO is and why is the administration seeking \$27 million for its activities. KEDO, the Korean Energy Development Organization, is the international consortium the administration pledged to put together under the agreed framework. The agreed framework calls on the United States "to organize under its leadership an international consortium to finance and supply" the light water reactor project in North Korea. As I mentioned, this light water project is expected to cost at least \$4 billion. Further, the United States "representing the consortium, will make arrangements to offset the energy foregone due to the freeze" of the existing North Korean nuclear power program. In other words, we are expected to arrange to give North Korea free oil. Fifty thousand tons were delivered on January 21. One hundred thousand tons are scheduled to be delivered by October 21, 1995. Every year thereafter North Korea is expected to receive 500,000 tons until the light water reactor project is complete.

In addition to these substantial commitments, North Korea is demanding that the United States pay for about \$1 billion worth of projects to upgrade the electrical grid to make the light water reactor project worthwhile. It is still

unclear whether North Korean demands will be met.

If the United States agreed to put together the international consortium, who agreed to pick up all the bills? That is where the accountability gets cloudy. So far, only the United States has actually signed any checks. First, the Department of Defense used nearly \$5 million in Defense Department emergency funds to purchase the first trench of oil. Then, the Department of Energy successfully sought \$10 million in reprogrammed funds for treatment of spent fuel from the graphite moderated reactors in North Korea. Now, additional funds are being sought from the Department of State—and none of the really expensive projects has even started.

The South Korean Government has repeatedly said it will play the central role in the international consortium in financing the light water reactor project. But, the South Koreans have wisely added that this can only occur if North Korea agrees to accept South Korean reactors and if North Korea engages in substantive dialog with the South.

The Japanese Government has also said it will play an appropriate role. But, the Japanese have been quick to add that their role is dependent on having widespread participation in KEDO, including a United States financial role. I often remind my friends in Japan that we spend \$2 billion per year to keep 37,000 American troops on the Korean Peninsula. To this Senator that is a big contribution.

Ambassador Robert Gallucci, the lead U.S. negotiator of the agreed framework, has indicated that 20 nations are expected to attend the inauguration of KEDO, but he admitted that not all of the countries will actually join KEDO. In fact, the only additional contributions announced thus far are from New Zealand and Australia.

The test for KEDO—and the State Department—is whether KEDO is anything more than a convenient multinational cover for what could become a costly and dangerous U.S. obligation. The North Korea nuclear situation should certainly be a multilateral and a regional issue. I have always felt that South Korea and Japan should have been original signatories to the agreed framework. I believe that the ASEAN nations should all contribute. I firmly believe that China should be playing a significant financial role given China's historical role in aiding North Korea. Has the United States simply taken over that aid role from China?

But the most disturbing aspect of KEDO for this Senator is that if KEDO fails to solicit the necessary funds, President Clinton has already committed the United States to fulfilling the terms of the agreed framework. On October 20, President Clinton sent a letter to Kim Jong Il, the new leader of North Korea, pledging to use the full powers of his office to provide the light

water reactor project and interim fuel from the United States if other means fail. I ask that a copy of President Clinton's letter of assurance be submitted for the record. The President acknowledged that his pledge was subject to "the approval of the U.S. Congress," but no Member of Congress that I know was briefed on the contents of this letter before it was sent.

This Senator continues to believe that if the President must come to Congress to seek funds for this multi-billion-dollar deal, after having ignored Congress in agreeing to the terms and conditions of the agreed framework, then Congress has the right to reexamine the conditions attached to that appropriation. I will continue to insist that North Korea allow immediate inspection of the two suspected nuclear waste sites that they have kept hidden from IAEA inspectors.

In addition, other issues should be addressed. I strongly believe that North Korea must agree to joint recovery teams to search for the 8,177 service personnel still listed as MIA from the Korean war. Second, North Korea must agree to stop exporting ballistic missiles. Finally, North Korea must engage in meaningful dialog with South Korea. But these are issues to take up at another day.

The purpose of my statement today is to urge my colleagues to remind the administration of the congressional role in implementing the agreed framework and to call your attention to the inauguration of KEDO.

Thank you, and I wish the Chair a good day.

I have no further statement, Mr. President. I believe that both sides have looked at this, and I defer to my colleague, the senior Senator from Alaska [Mr. STEVENS].

The PRESIDING OFFICER. Is there further debate on the Murkowski amendment? The senior Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I am informed that the amendment offered by my colleague has been discussed and is in a position now where it can be accepted as an amendment to this bill.

I ask my friend from Hawaii if he agrees. I believe it applies to funds in this act and, under that limitation, we are prepared to accept it.

Mr. INOUE. Mr. President, I am personally prepared to accept the amendment, but I just received a request from the Senator from Rhode Island [Mr. PELL] that he would like to look over the amendment, and he will be here shortly. So may I request that the acceptance be held up for, say, 5 minutes?

Mr. STEVENS. Mr. President, there is no objection on my part and, I am sure, that of my colleague.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. MURKOWSKI. Will the Senator just yield? I wonder if the senior Senator will be on the floor and can proceed on my behalf because I have a hearing.

Mr. STEVENS. Mr. President, I shall be glad to do that. I think the Senator from Iowa and the Senator from Illinois want time. Does the Senator from Iowa seek the floor to offer an amendment?

Mr. GRASSLEY. No, to speak on the bill.

Mr. STEVENS. Will the Senator from Iowa pardon me and allow me to interrupt?

I am now informed that the amendment offered by my colleague from Alaska can be adopted at this point. There is no further objection, as I understand it.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment of the junior Senator from Alaska.

The amendment (No. 328) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GRASSLEY. Mr. President, I rise to discuss my reasons for voting for the bill, but also to state some concerns I have about the direction that the Department of Defense is taking.

I want to commend, first of all, the Appropriations Committee and, of course, its chairman, Senator HATFIELD, for doing what I think is a very responsible thing, and that is to offset the cost of the readiness through rescissions, not from other Departments of Government, but from Defense Department programs.

I recently requested both the CBO and the General Accounting Office, GAO, to review the defense budget to determine whether there were programs being funded that were not directly related to a strong military and our national security operations and responsibilities.

CBO identified \$64 billion falling into that category, and the GAO identified \$70 billion. Those are figures that cover the next 5 years. They suggested that these programs were absolutely clearly not related to our national security, but they identified these programs for review to determine whether these programs should be continued in the defense budget.

I am pleased to note that some of the programs contained in the reports that I requested have been used by the Appropriations Committee as offsets in this bill.

My view, in general, is that we should not only scrutinize nondefense spending in the defense budget but many defense-related items as well. So along that line, I commend specifically Senators MCCAIN and WARNER, both of

them very respected members of the Senate Armed Services Committee, for their work in identifying defense programs that should be cut or reduced, such as the B-2 bomber and the M-1 tank upgrade.

Because I firmly believe that we must closely scrutinize both military programs, as Senator MCCAIN and Senator WARNER have suggested, but also I go beyond that to other so-called non-defense spending, which is in the defense budget, before we consider increasing defense spending above this administration's proposed levels. And I hope you remember that for the 5 years in this year's budget, the President's proposing \$25 billion above what it was in his first budget.

Now, I think that scrutinizing these programs is exactly what the Appropriations Committee has done in this bill. The committee found it unnecessary to increase defense spending to meet the readiness needs because it found alternative options to new spending.

Mr. President, last year I supported what we call in this body defense firewalls so spending cannot be taken out of defense and spent some place else. Many of my colleagues were concerned then that we might rob the defense budget to pay for domestic programs. Rather, we believe that if defense spending is reduced, it should be used to cut the deficit, not to increase domestic spending.

I also believe there is another corollary, because I believe that defense firewalls should work both ways. We should not rob funding for domestic programs to pay for defense spending either. There is clearly sufficient funding within the defense budget to meet readiness concerns. It is simply a matter of the Pentagon prioritizing its funding and improving its management. Because the Appropriations Committee has not robbed the domestic spending accounts to pay for defense readiness, I am willing to support this supplemental appropriations bill, and I commend the committee's work. I strongly urge the committee, however, to continue its good work and to resist in conference any efforts by the other body to pay for defense programs from domestic offsets.

Now, having said that, Mr. President, I wish to address briefly the issue of the obligations and expenditures of public money that has not been appropriated by the Congress and specifically to alert my colleagues to some pending requests from the Department of Defense to amend authorizing language, present statute, which I think gives them the capability of spending money not appropriated by the Congress.

The bill before us, if approved, would provide \$126.3 million to bail out two Army fiscal year 1994 appropriations accounts. They would do it this way: \$3.3 million for the military personnel account and \$123 million for the operation and maintenance account. These

two accounts are overobligated. They are overdrawn. They are in the red.

When the Army was ordered to deploy troops to Haiti, its financial accounts contained insufficient funds to cover the cost of the operation but we know that the Army deployed anyway. The Army spent money that it did not have. As a result of that operation, those accounts have negative balances. They are in the red to the tune of \$126.3 million. If the \$126.3 million is needed to meet legitimate obligations, then we in this Congress have no choice. We have to pony up the money because we have to pay our bills.

Well, under the Constitution, as we know, that is not the way the spending process of the Federal Government, including the Defense Department, is supposed to work because under our Constitution Congress has the sole authority to decide when and to what extent public moneys are committed.

Now, Mr. President, I am not suggesting that the bill before us contains unauthorized appropriations. Quite the contrary. The Department of Defense is authorized under the law to spend money in excess of available appropriations. That authority is contained in the Feed and Forage Act that dates back to the Civil War.

The authority was justified in those days. Troops often went on long periods without pay and had to forage to survive. Government chits were issued to exchange for food and redeemed later on for cash. The Feed and Forage Act is embodied in section 11 of title 41 of the United States Code. The Feed and Forage Act was last invoked by the Department of Defense on September 19, 1994. That decision generated the request for these \$126.3 million that are in this bill. The authorizing documents were signed by Mr. Deutch, Deputy Secretary of Defense, and Mr. Hamre, the Comptroller.

I ask unanimous consent that those be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE DEPUTY SECRETARY OF DEFENSE,  
*Washington, DC, September 19, 1994.*

Memorandum for Secretaries of the Military Departments, Chairman of the Joint Chiefs of Staff, Commander in Chief, U.S. Special Operations Command.

Subject: Obligations in Excess of Appropriations for Restoration of Democracy in Haiti.

The Department of Defense is likely to incur, in accordance with applicable law, obligations in excess of available appropriations to ensure the necessary funding to support units of the U.S. Armed Forces conducting military operations in connection with the restoration of democracy in Haiti.

I authorize the incurring of deficiencies for clothing, subsistence, forage, fuel, quarters, transportation, and medical and hospital supplies, not in excess of the necessities of the current year, under the authority of Section 3732 of the Revised Statutes (41 U.S.C. 11), known as the Feed and Forage Act. On my behalf, the Comptroller of the Department of Defense shall make the reports to Congress required by law with respect to the use of this authority.

Also, pursuant to Section 2201(c) of Title 10 of the United States Code and the necessity based on Presidential determination to increase the number of members of the Armed Forces on active duty beyond the number for which funds were provided in Appropriations acts for the Department of Defense, I authorize the incurring of deficiencies for costs of such personnel under Section 3732(a) of the Revised Statutes.

The Comptroller of the Department of Defense shall issue such instructions as may be necessary to implement this memorandum, including prescription of the dollar levels for deficiencies by appropriations account.

JOHN DEUTCH.

COMPTROLLER OF THE  
DEPARTMENT OF DEFENSE,

Washington, DC, September 20, 1994.

Hon. ALBERT GORE, JR.,

President of the Senate, Washington, DC.

DEAR MR. PRESIDENT: On behalf of the Secretary of Defense, this is to advise that the Secretary of Defense has invoked the authority granted by Section 3732 of the Revised Statutes (41 U.S.C. 11) to authorize the Military Departments to incur obligations in excess of available appropriations for clothing, subsistence, forage, fuel, quarters, transportation, and medical and hospital supplies, not in excess of the necessities of the current year in support of U.S. military. He has also invoked the authority granted by Section 2201(c) of Title 10 U.S.C. to authorize incurring deficiencies for the costs of additional members of the Armed Forces. This action will ensure that the Department of Defense can support U.S. military operations in connection with the restoration of democracy in Haiti.

Sincerely,

JOHN J. HAMRE.

Mr. GRASSLEY. The Feed and Forage Act allows military services to make contracts and to purchase in advance of appropriations for clothing, subsistence, forage, fuel, quarters, transportation, and medical supplies. The Feed and Forage Act gives the Department of Defense an open-ended authority to spend money almost without limits. The Department of Defense can invoke the authority whenever it sees fit. No special condition or no special circumstances must be met before that law can be invoked. We need not be at war. We need not be engaged in military combat overseas for the Department of Defense to tap the Treasury without an appropriation. And there is essentially no limit on the amount of money that can be spent. It is like, you might say, Mr. President, an open line of credit.

Now, thank God, no other agency of the Federal Government has this kind of authority. Admittedly, in wartime, when our national security is threatened, this kind of authority may be essential. But, Mr. President, I am concerned about the use of this authority in peacetime, like today. My concerns are fueled by a Pentagon proposal to expand the authority beyond existing law. And remember, I just said that I wish to tell you what I am concerned about what the Department of Defense is thinking about doing.

The original fiscal year 1995 defense supplemental bill as submitted to Congress included a request for special legislative authority. It would be num-

bered section 1863. Secretary of Defense Perry has referred to section 1863, and these are his words, as his "readiness preservation authority." Readiness preservation authority. I ask unanimous consent to print that language in the RECORD, too, for my colleagues to study.

There being no obligation, the material was ordered to be printed in the RECORD, as follows:

EXCERPT FROM THE 1995 SUPPLEMENTAL  
BUDGET

(Supplemental language now requested,  
existing legislation)

SEC. 1863. During the last two quarters of the current fiscal year, upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, incur necessary obligations to preserve the readiness of the Armed Forces in excess of contract authority and amounts available in appropriations of the Department of Defense during the current fiscal year: Provided, That obligations incurred shall be limited to those which are required for essential readiness functions and activities of the Armed Forces, including activities associated with mission critical proficiency training, scheduled unit exercises, the acquisition of spare parts that are critical to the missions of the Armed Forces and such other activities that the Secretary of Defense determines cannot be postponed without a major impact on the readiness of the Armed Forces: Provided further, That obligations incurred under the foregoing authority shall not be more than 50 percent of the total amount appropriated to the Department of Defense for Operation and Maintenance, Budget Activity 1: Provided further, That any proposal transmitted by the President to the Congress to liquidate costs incurred under the provisions of this section shall be accompanied by offsetting rescission proposals, unless the President determines that emergency conditions exist which preclude such rescissions: Provided further, That the Congress shall be notified when funds are made available for obligations under this authority.

This provision would allow the Department of Defense, with OMB approval and Congressional notification, to make obligations in excess of its total budget authority during the last two quarters of 1995 to fund essential readiness activities and functions. Excess obligations incurred under this provision are limited to 50 percent of Budget Activity 1 under the Operation and Maintenance title. Any proposal to liquidate excess obligations incurred under this provision must be accompanied by offsetting rescission proposals unless the President determines that emergency conditions exist which preclude rescissions.

Mr. GRASSLEY. Section 1863 is intended to build on and to expand the authority granted in the Feed and Forage Act. The Department of Defense would be authorized to obligate and authorized to spend money, in advance of and in excess of congressional appropriations, in a great big, broad area well beyond anything that the Feed and Forage Act has ever done. That area is defined then in 1863 as follows, and I quote.

Essential readiness functions and activities of the Armed Forces.

"Essential readiness functions and activities of the Armed Forces" obviously covers a lot of territory. That conceivably covers just about anything and everything that the Department of

Defense wants. I am thankful to report that section 1863 is not included in either version of the fiscal year 1995 supplemental bill, the bill that is before us now in this body, the bill that passed the House of Representatives.

But I understand the issue will be revisited during consideration of the fiscal year 1996 defense authorization bill. That is why I want my colleagues to study this issue, and if it is in there you can assume that I am going to bring it to your attention and to highlight it and to make sure we are responsible as we consider that.

The practice of spending public money before it is appropriated by Congress in peacetime—I want to emphasize in peacetime as opposed to wartime—that practice needs to be reexamined. It needs scrutiny.

First, the practice is inconsistent with the Constitution. Section 9 of article I of the Constitution says, "No money shall be drawn from the Treasury, but in Consequence of Appropriation made by law." That ought to be crystal clear to everyone.

Second, the practice of doing this is inconsistent with the Anti-Deficiency Act, section 1341, title 31. This law, the Anti-Deficiency Act, causes it to be a felony to obligate or expend money before an appropriation is made, or in excess of amounts available in an appropriation account.

When Congress discovered, as we did in the late 1980's, that the Pentagon was using \$50 billion—what was called M accounts, nothing but a slush fund—to circumvent the law and to hide the Anti-Deficiency Act violations, the Congress shut down those M accounts. That year was 1990.

The Department of Defense is always going to find some way to give just a little bit more freedom on the shuffling around of money. So I am afraid, with this new 1863, that DOD may try to use the Feed and Forage Act and the proposed Readiness Preservation Authority, that is 1863, for another end run around the Constitution and around the law. I am afraid the Pentagon may use this authority to hide deficient accounts that they are very qualified at doing.

In order to better understand this whole issue, for the benefit of my colleagues, I am taking three specific steps. I have already started this process.

First, I have asked the American Law Division at CRS for an opinion on all pertinent legal points involved.

Second, I have asked the General Accounting Office to follow the audit trail on the \$126.3 million in this bill to make sure the disbursements are properly recorded in the books.

Third, I have asked the Department of Defense to tell me how much money has been spent under the Feed and Forage Act over the last 25 years.

Once I have all this information, I should be in a better position to make a final judgment about this matter,

about 1863, and the intent of the Secretary of Defense.

I will say this. He has tried to assure me that he is not trying to reestablish an M account sort of approach. That may be his sincere motive, but I question whether or not the language of 1863 is specifically tight enough so that will not happen. It might not happen under his watch, but once it is on the books, there will be some Secretary of Defense who will find a way of doing it, because we had these M accounts evolve over a period of the 1950's to 1990.

The idea of spending money before it is appropriated ought to bother every one of us. It surely bothers me. It seems to undermine our control of the purse strings and our system of checks and balances. With a simple stroke of the pen, a Pentagon bureaucrat can write checks with public money which has not been appropriated and then, thereafter, practically extort the funds from Congress to pay the bills.

Bureaucrats demand the money, and Congress coughs it up. That is just not right. If we are ever to balance the budget—and that debate was last week but the problem is still ahead of us—we need to put a tight lid on this kind of behavior, whether it is in the Department of Defense that I have spoken about or any agency of the Federal Government.

I yield the floor.

THE PRESIDING OFFICER (Mr. THOMPSON). The Senator from Illinois.

Mr. SIMON. Mr. President, I ask unanimous consent to address the Senate as in morning business for 5 minutes.

THE PRESIDING OFFICER. Without objection, it is so ordered.

#### THE BALANCED BUDGET AMENDMENT

Mr. SIMON. Mr. President, I spoke earlier today about the falling dollar. I quoted the Chicago Tribune. I ask unanimous consent to have printed in the RECORD some more items.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Mar. 6, 1995]  
CURRENCY'S SLIDE MAY MARK END OF  
RESERVE ROLE  
(By Michael R. Sesit)

LONDON.—Undercut by years of U.S. deficits, the dollar's days as the world's reserve currency may be drawing to a close.

On Friday, eighteen central banks spent a half-billion dollars in a futile attempt to resist that notion, following a similar \$250 million effort by the Federal Reserve the day before. In Germany and Japan, finance ministries scolded dollar bears as wrongheaded. In the U.S., Treasury Secretary Robert Rubin tried talking up a strong dollar as "in our national interests."

Traders, unperturbed by the fuss, continued to dump dollars by the billions. As the greenback fell to another post-World War II low against the yen and continued sliding against major European currencies, foreign-exchange dealers and money managers predicted more to come.

In trading Monday in Tokyo, the dollar hit a new postwar low of 92.75 yen and skidded to 1.3875 marks, just short of its historical low of 1.3870 marks. About noon Monday, the dollar was trading at 93.25 yen, and at 1.4030 marks; sterling was at \$1.6473.

At its lowest point Friday, the U.S. currency touched a postwar low of 93.75 yen, and a 29-month low against the mark. By late trading in New York, the dollar stood at 94.05 yen and 1.4240 marks, compared with 95.25 yen and 1.4415 marks late Thursday. The pound, meanwhile, rose to \$1.6295 from \$1.6135 a day earlier.

"There is a firm belief that the dollar doesn't have the reserve-currency status it once had," says Jeremy Hodges, head of global foreign-exchange sales for Lehman Brothers Inc. "Globalization and diversification" are progressively eroding the dollar's mystique, he explains. "More and more people are adjusting their portfolios to include other currencies—yen, deutsche marks, French francs, Canadian dollars."

Meanwhile, weaker currencies continue to lose out. Early this morning, after an emergency meeting of the European Union's monetary committee, the Spanish peseta and Portuguese escudo were devalued, by 7% and 3.5% respectively, following weeks of difficult trading.

Within the next three months, Mr. Hodges predicts the dollar could tumble another 5%, to 1.35 marks, and another 4%, to 90 yen, although he cautions not to expect a freefall. So far this year, the dollar has fallen 6% against the yen and 8% against the mark.

The basic problem for the dollar is that there are just too many of them sloshing around, says George Magnus, chief economist at S.G. Warburg & Co. in London. The U.S. current account deficit—a broad measure of trade in goods and services plus certain financial transfers—is huge and growing. In addition, "there is still an underlying outflow of investment capital" as U.S. companies continue to invest in plants and equipment overseas, he says.

"And don't forget that the U.S. is the world's biggest debtor nation, with external liabilities of \$750 billion at the end of 1994," he adds. Last week's defeat of a constitutional amendment that would have required a balanced budget by 2002 only underscored the country's lack of will to reform its way.

What's more, Mr. Magnus argues, Fed policy isn't as tight as many people suspect. The evidence: strong growth in U.S. loan demand, increasing bank borrowing from the Fed and the modest pickup in bank reserves since October. And, he added, "the Mexican bailout is going to result in the creation of additional dollar reserves, either by the Fed, the Treasury or both."

Based on 10-year government-bond yields, U.S. inflation-adjusted interest rates are 4.35%, compared with 5.4% in Germany and 4.4% in Japan. While stronger fundamentals could propel the dollar to 110-120 yen and 1.60-1.65 marks in a year or so, for now, \* \* \*

[From the Washington Post, Mar. 7, 1995]

DOLLAR KEEPS FALLING AGAINST YEN AND MARK—ANALYSTS CALL DECLINE A LONG-TERM TREND

(By John M. Berry)

The dollar continued to fall on international currency markets yesterday, hitting a new low against the Japanese yen for the third day in a row and weakening further against the German mark.

Many foreign exchange experts said the dollar's weakness is not just a temporary problem, but rather part of a long-term downward trend against the mark and yen, although the dollar is likely to rally from time to time.

There was broad agreement among experts that there is little President Clinton, the Treasury Department or the Federal Reserve can do to give the dollar a boost. Coordinated purchases of dollars on Friday by the Fed and other central banks around the world had almost no impact on the currency's value.

In late New York trading yesterday, it took just 92.80 yen to buy a dollar, down from 94.05 on Friday. Against the mark, it took 1.4048 marks to buy a dollar, the lowest level in more than two years, down from 1.4250 on Friday.

The reasons for the dollar's downward trend, the analysts said, are complex and varied. Some are real, some are psychological; some are as new as the financial crisis in Mexico and some are as old as the tendency of Americans not to save money.

First and foremost is the fact that the United States is running a deficit with the rest of the world of more than \$150 billion a year in trade, tourism and similar transactions, said economist L. Douglas Lee of NatWest Washington Analysis.

That means that each year foreigners end up with \$150 billion that they may not wish to hold and so exchange for another currency, driving down the dollar's value. In the view of Lee and many other analysts, as long as the United States keeps pushing that many dollars into foreign hands every year, the currency has little chance of strengthening in a fundamental way.

A second key reason for the recent weakness of the dollar that many analysts cited is an abrupt shift in expectations about the level of U.S. interest rates compared with those in other countries, especially Germany.

"The dollar's decline this year has coincided with the evaporation of earlier expectations of future sharp increases in U.S. short-term rates," said John Lipsky, chief economist at Salomon Brothers Inc. in New York.

The level of interest rates is important for a currency because higher rates can encourage investors to move their money from one country to another. Until a few weeks ago, many analysts and investors had expected that the Fed would continue to raise interest rates as it did all last year to cool off the U.S. economy and prevent a surge of inflation. However, recent statistics suggest that U.S. economic growth is slowing and many analysts are no longer looking for higher rates.

A third major reason the dollar is being hammered is that its value has been declining for many years compared with German and Japanese currencies, and some foreign central banks are switching their foreign exchange reserves out of dollars.

"The track record of the dollar in recent years has been poor, and that's what these investors look at, the record," said Scott E. Pardee, special adviser at Yamaichi International (America) in New York. "The U.S. economy is doing fine, but dollars that have been in other hands for many years are being converted into marks and yen."

A fourth key development hurting the dollar, the analysts said, is the political and financial crisis in Mexico, which led the Clinton administration to forge a huge international rescue package, with the United States putting up \$20 billion in loans and loan guarantees.

There is a widespread perception that the United States will suffer in a variety of ways because of its close links to Mexico, including a likely large decline in U.S. exports that will make the U.S. trade deficit worse.

Yet another reason mentioned by the analysts is the currency turmoil within Europe that led to a devaluation yesterday of the

Spanish peseta and Portuguese escudo relative to the mark, which is seen by investors and speculators as a "safe haven."

Meanwhile, many Japanese firms are selling the dollars they are earning from exports to the United States in exchange for yen. They are using that yen to cover losses or operating expenses at a time when Japanese banks are reluctant to make new loans.

Analysts such as Lee noted that so long as Americans save such a small portion of total national income that they cannot finance the nation's investment costs—plus the combined deficits of federal, state and local governments—foreign investors must make up the difference. In an accounting sense, the gap between saving and investment is equal to the U.S. deficit in trade, tourism and other transactions.

"The way to address the problem is to do something to bring savings and investment closer together—such as reduce the federal [budget] deficit", Lee said. And that pointed to yet another reason for the dollar's weakness—last week's Senate defeat of a constitutional amendment to require a balanced budget, which "was read as a negative by the currency market," Lee said.

[From the Wall Street Journal, Mar. 7, 1995]  
DOLLAR FALLS AGAINST YEN AND MARK, BUT UNITED STATES DECLINES TO INTERVENE IN MARKET

(By David Wessel)

WASHINGTON.—The dollar fell again yesterday against the yen and mark, but U.S. officials kept their mouths shut in public and didn't intervene in currency markets to support the struggling currency.

The dollar set another post-World War II low against the yen yesterday, touching 92.70 yen in Asia before rebounding to 92.90 late yesterday, down from 94.05 late Friday. The dollar, flirting with its postwar low against the mark of 1.3870 set in September 1992, was trading at 1.4048 marks yesterday, down from 1.4240 Friday.

Having failed to stop the dollar's slide with rhetoric and money, the U.S. government simply watched nervously yesterday. At earlier moments of market turmoil, Treasury Secretary Robert Rubin, once a currency trader himself, has advised: "Stay calm and focus on the fundamentals." Apparently he was doing just that yesterday. Neither he nor his aides would talk about the currency.

While Mr. Rubin was consulting with his German and Japanese counterparts, U.S. officials are holding off on further dollar-buying efforts until the officials sense such intervention is likely to work. Having demonstrated that the U.S. is unhappy about the sliding dollar and convinced the market has gone too far, the officials may now just wait for the market to bring the dollar back up.

#### TWO OPTIONS

If words and intervention won't work, then the government has only a couple of other options should it decide to try to strengthen the dollar: The Federal Reserve could raise short-term interest rates to try to attract global investors, or President Clinton and Congress could reduce the federal budget deficit to shore up confidence in U.S. macroeconomic management. Neither policy change appears imminent.

Economists' list of explanations for the dollar's decline is growing longer every day. Rudiger Dornbusch, a Massachusetts Institute of Technology economist, figures that expectations about interest-rate trends in the U.S. and Germany account for 70% of the dollar's woes. Based on comments by Fed Chairman Alan Greenspan and other Fed officials, the markets have decided that the Fed isn't going to raise short-term rates

anytime soon—and might even cut them. That tends to draw investors to the mark.

The failure of the U.S. to reduce further its government budget deficit accounts for 30%, he estimates. The recent slump in the dollar coincides with the Senate's rejection of a constitutional amendment that would have required a balanced budget. "Germany is balancing the budget without big talk over the next four years. We are widening the deficit with big talk," Mr. Dornbusch said. "They are concerned about inflation at 2½%. We declare it dead at 3½%." Global investors, not surprising, prefer marks to dollars, he reasons.

"If you need a third [reason for the weak dollar]," he said, referring to Mexico's economic crisis, "the mess in our backyard gives you one more reason."

Other economists and traders, however, aren't so confident that they can discern the causes of the dollar's fall. "I'm puzzled. I didn't expect it. I don't claim to know [the reasons] after the event," said Deutschebank economist Norbert Walter. "Wall Street doesn't like Washington. Everything that happens is considered to be negative for the dollar."

#### GLOBAL LACK OF CONFIDENCE

The U.S., as Mr. Rubin made clear last week, sees "a strong dollar" to be in "its national interest." A falling dollar does help U.S. exporters by making their goods more attractive overseas, but it tends to push up import prices. It also tends to push up long-term interest rates in the bond market even if the Fed doesn't move the short-term rates it controls. A weaker dollar also suggests a global lack of confidence in the U.S. and its government, hardly a welcome development for Mr. Clinton or Mr. Greenspan. In Germany and particularly in Japan, strong currencies could hurt exports at a time when both nations are counting on them to buoy economic growth.

While the dollar is sinking against the mark and yen, it has strengthened against two of its major trading partners. The Canadian dollar closed at 1.4168 Canadian dollars to the U.S. dollar yesterday, compared with 1.3557 Canadian dollars to the U.S. dollar a year ago. The Mexico peso closed at 6.575 pesos to the dollar, compared with 3.25 pesos to the dollar a year ago. As a result, the value of the dollar against all its trading partners hasn't fallen much, reducing the risks of imported inflation and making it easier for the Fed to ignore the weakness against the yen and mark.

Until the dollar plunged last week, the Fed had been widely expected to hold short-term interest rates steady when officials hold their next scheduled meeting on March 28. And if signs of a slowing pace of growth continue to emerge, the Fed isn't likely to raise rates at that meeting. Just yesterday, Fed Vice Chairman Alan Blinder, speaking to bankers here, tentatively predicted the sort of "soft landing"—an economy that slows, but not too much—that central bankers are always trying to engineer. "There are indications, but certainly not definitive sort of indications, that makes me think we have a fighting chance of achieving this sort of soft landing."

With the dollar weak, strong evidence that the U.S. economy hasn't cooled off—which could come as soon as this Friday's Labor Department report on employment in February—could tilt the Fed toward higher rates. Mr. Blinder wouldn't talk about the dollar, but House Banking Chairman Jim Leach (R., Iowa) did: "Obviously a weak dollar enhances prospects of [interest rates] going up again," he said. "No one likes that. But no one likes a weak dollar either."

Economists who are adherents to the monetarist school, gathered in Washington

yesterday, cautioned the Fed against raising rates to defend the dollar. "Why is the dollar going down? We don't know. But it isn't a monetary phenomenon," said Lee Hoskins, chairman of Huntington National Bank and former Cleveland Federal Reserve Bank president. "What should the Fed do? Nothing."

But David Hale, economist at Chicago's Kemper Corp., said the Fed could help the dollar by making clear it doesn't intend to cut rates soon.

Mr. Leach also said that the dollar "underscores the absolutely mandatory need to get the fiscal house in order so that the monetary side doesn't have to do everything." Economists reason that a move to shrink the U.S. budget deficit would increase overall savings in the U.S. and that, in turn, should reduce what is known as the current-account deficit, the broadest measure of international financial and trade flows. That big and growing deficit is, economists say, a major long-run factor in the dollar's weakness.

Although the defeat of the balanced budget amendment was seen in Washington as a sign that Congress is less likely to attack the deficit this year, traders and economists disagree about its impact on the dollar. "You can point to that as a trigger," said Virginia Parker of Ferrell Capital Management, Greenwich, Conn. "But the dollar has been in a pretty significant downturn since the end of 1994."

Mr. Hale suggested the defeat "played a role at the margin," but called other factors more important. Most are beyond the Clinton administration's control. Among them: the likelihood that U.S. exports to Mexico will be hurt by the economic crisis there, the side effects on the dollar of internal European currency tensions, the evaporation of the Soviet threat (which makes investors more confident about the mark) and Japanese investors' seasonal urge to repatriate capital in advance of the March 31 end of their fiscal year.

[From the Washington Times]

DOLLAR AGAIN PLUNGES, SETTING OFF STOCK SELLOFF—ECONOMY: RECORD LOWS AGAINST MARK, YEN STIRS DOUBTS ABOUT CURRENCY'S PREMIER STATUS—DOW LOSES 34.9 POINTS

(By Jonathan Peterson)

The U.S. dollar continued its extraordinary slide Tuesday, plunging to record lows against the German mark and Japanese yen, as currency worries slammed the stock market and eroded the greenback's oncelofty status throughout the world.

For the second straight day, U.S. Government officials choose not to resist the anti-dollar mania, fueling speculation that the currency could hurtle even lower in the coming days.

And unlike recent dollar-selling stampedes, high-rolling speculators were joined Tuesday by corporations, banks and mutual funds in the selloff, traders said.

"Right now it's a panic situation—we're in uncharted territory," declared Frank Conte, a currency dealer at Royal Bank of Canada in New York. "There's no sign from the Federal Reserve. There's no talk from the Administration. So traders are wondering: 'Where's the bottom for the dollar?'"

Such questions spread to the stock market \* \* \*

The punishing treatment of America's long-trusted currency, combined with investors' decided preference for German marks and Japanese yen Tuesday, startled veteran



traders who wondered aloud how the episode would unfold.

"It's pandemonium, isn't it?" said Robert A. White, senior vice president at Standard Chartered Bank in New York. "It's shocking to a lot of us old-timers in the market to see the dollar ostensibly removed as the reserve currency of the world."

The dollar hasn't suffered alone. In what has become a massive, global shuffling of money, currencies of Canada, Mexico, Italy, Sweden, Belgium and other nations have all been walloped. Germany's surging mark, meanwhile, has reached post-World War II highs against the British pound, French franc, Spanish peseta, Portuguese escudo and Swedish krona.

In New York trading Tuesday, the dollar closed at 1.3702 marks, down from 1.4048 late Monday. It closed at 90.05 yen after falling as low as 89.05, down sharply from 92.80, the previous post-World War II low.

The buck has slipped 6% against the mark and yen this month alone, compared to an 11% loss against both currencies for all of last year.

"What can we do to stabilize the dollar or cause it to go up without doing long-term economic damage?" asked Monica Williams, vice president and foreign exchange manager at Sanwa Bank California.

While that answer seemed elusive Tuesday, economists cited several reasons for the problem that has erupted in recent days. German interest rates are expected to rise this year, benefiting lenders. By contrast, Fed Chairman Alan Greenspan recently hinted that U.S. rates were at or near their peak levels.

The prospect of a "soft landing" for the U.S. economy—slower growth but no recession—suggests that U.S. consumers will continue to gobble up imports, keeping the nation's trade balance deep in the red this year.

What is more, highly visible news from Washington seems to have convinced speculators that the dollar is a less attractive haven than in the past. Traders have repeatedly mentioned the rescue plan for Mexico and the defeat of the balanced-budget amendment in Congress in recent days as reasons to abandon the dollar.

"There's a complete lack of faith in the Fed, the Administration and in Congress to get the budget in order, to get the trade balance in order," White contended.

The controversy spread on Capitol Hill Tuesday, as members of Congress worried about the dollar and also complained about the rescue plan for Mexico, entailing \$20 billion of U.S. loans and loan guarantees for the peso.

"It appears that the currency speculators, the vultures of the world, are beginning to circle around the U.S. currency because they seem to sense that our currency is vulnerable," Rep., Dana Rohrabacher (R—Huntington Beach) said during a hearing of the House International Relations Committee.

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Mr. SIMON. Yesterday's Washington Post, in an article by John Berry, "Dollar Keeps Falling Against Yen and Mark," quotes a Washington economist, L. Douglas Lee:

"The way to address the problem is to do something to bring savings and investment closer together—such as reduce the federal [budget] deficit," Lee said. And that pointed to yet another reason for the dollar's weakness—last week's Senate defeat of a constitutional amendment to require a balanced budget, which "was read as a negative by the currency market," Lee said.

The Wall Street Journal, the day before yesterday, in an article by Michael

Sesit, "Currency's Slide May Mark End of Reserve Role."

The basic problem for the dollar is that there are just too many of them sloshing around, says George Magnus, chief economist at S.G. Warburg & Co. in London. The U.S. current account deficit—a broad measure of trade in goods and services plus certain financial transfers—is huge and growing. In addition, "there is still an underlying outflow of investment capital" as U.S. companies continue to invest in plants and equipment overseas, he says.

Here I might add what encourages that outflow is when you do not have a decline in interest here and when it is more productive, when you get more for your capital, to invest in other countries. The balanced budget amendment, every projection said, would send interest rates in this country down.

Then the article continues, quoting this London economist:

"And don't forget that the U.S. is the world's biggest debtor nation, with external liabilities of \$750 billion at the end of 1994," he adds. Last week's defeat of a constitutional amendment that would have required a balanced budget by 2002 only underscored the country's lack of will to reform its ways.

Here is another one, an article from yesterday's Wall Street Journal, quoting Rudiger Dornbusch, a Massachusetts Institute of Technology economist, listing the budget deficit accounts as one of the two major reasons for the drop in the dollar.

The recent slump in the dollar coincides with the Senate's rejection of a constitutional amendment that would have required a balanced budget. "Germany is balancing the budget without big talk over the next four years. We are widening the deficit with big talk," Mr. Dornbusch said.

And today's Los Angeles Times, "Dollar Again Plunges, Setting Off Stock Selloff."

In the middle it says,

"It's pandemonium, isn't it?" said Robert A. White, senior vice president at Standard Chartered Bank in New York. "It's shocking to a lot of us old-timers in the market, to see the dollar ostensibly removed as the reserve currency of the world."

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"There's a complete lack of faith in the Fed, the Administration and in Congress to get the budget in order, to get the trade balance in order," White contended.

The reality is, if we had our fiscal house in order the \$20 billion loan guarantee for Mexico would just be a blip out there. It just would not have any kind of an impact. In a \$6 trillion economy that is not a big thing.

But when you compound it with our failure to address our fiscal deficit, then the little things become big things.

I hope we learn the lesson. My hope is that 1 of the 34 who voted against the balanced budget amendment will recognize that a great mistake has been made, and that we are harming

our country right now. We are now talking about calling on the Federal Reserve and many other nations to come to the rescue of the dollar, and that is going to cost us a great deal. There is a much less expensive way to do it—pass the balanced budget amendment.

Mr. President, if no one else seeks the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCIS-SIONS ACT

The Senate continued with the consideration of the bill.

Mr. HELMS. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 329

Mr. HELMS. Mr. President, I send an amendment to the desk and ask for its immediate consideration. I ask that it be read in full.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 329.

At the appropriate place in the bill, insert the following new section:

#### SEC. . LIMITATION ON EMERGENCY AND EXTRAORDINARY EXPENSES

(a) IN GENERAL.—Funds appropriated or otherwise made available to the Department of Defense may not be obligated under section 127 of title 10, United States Code, for the provision of assistance, including the donation, sale, or financing for sale, of any time, to a foreign country that is ineligible under the Foreign Assistance Act of 1961 or the Arms Export Control Act to receive any category of assistance.

(b) EFFECTIVE DATE.—The limitations in subsection (a) shall apply to obligations made on or after the date of enactment of this Act.

Mr. HELMS. Mr. President, the amendment speaks for itself.

Mr. President, the pending amendment to funds appropriated for title 10, section 127 of the United States Code makes the point that if and when a country is not allowed to receive foreign aid from the United States, then, under the provision, that country would not be allowed to benefit from any of the funds provided by the authority of section 127.

Section 127 authorizes the Department of Defense to provide for "any emergency or extraordinary expense



which cannot be anticipated or classified." It is a slush fund for unanticipated expenses; the Department does not have to ask for congressional approval to expend any of the money.

Let me add that I might not even have known about this little authority had the State Department not abused it so clearly in January of this year. At the Department of State's insistence, the Secretary of Defense authorized an almost \$5 million expenditure from this account to purchase fuel oil for our enemy of 40 years, North Korea. Not once, since 1938 when the Department was first allowed to spend money for emergencies, has this fund ever been used for anything like this.

So why did they use it this time? To get around Congress. According to a senior U.S. defense official who spoke to the Washington Post on January 6 of this year, the United States had to use this authority because the Department of Defense "had the funds on hand and no U.S. allies agreed to contribute money for the oil \* \* \*". It was not an emergency. It was simply one of the few accounts the State Department could raid to support its buy out of North Korea without having to come to Congress for approval.

Congress has voted time and again that North Korea should not be eligible to receive aid because it is a known sponsor of international terrorism, it is a Communist country, and it is a country known to trample the human rights of its own citizens. Just last year, Congress voted to prohibit all direct and indirect assistance for North Korea. And yet, the administration found some way to get around all of this. And they abused DOD authorities in the process. My amendment aims to ensure that will not happen in the future.

It is hard for me to imagine how there could be opposition to this one. If we are all in agreement that terrorists and drug traffickers should not get foreign aid from AID, then why should they be able to get foreign aid from the Department of Defense? My amendment is not retroactive and it would not prevent the Secretary of Defense from using emergency moneys the way they have been used since 1938. What it does is shore up one of the gaping loopholes in the way we provide foreign aid to other countries.

Mr. President, I hope to move my amendment expeditiously.

Mr. President, I think the amendment has been cleared on both sides.

Mr. INOUE. Mr. President, speaking in behalf of the chairman of the Appropriations Subcommittee on Defense, I am happy to report that we have studied this amendment. We find it proper. We accept it.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 329) was agreed to.

Mr. HELMS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HELMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PRESSLER addressed the Chair.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. PRESSLER. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRESSLER. Mr. President, I ask unanimous consent that I be allowed to speak for 5 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

### REALITY-BASED BROADCASTING

Mr. PRESSLER. Mr. President, I want to call the Senate's attention to an article in this morning's Washington Post that I shall place in the RECORD. It is an op-ed written by myself. It involves the subject of how public broadcasting could become self-sufficient.

I ask unanimous consent to have this article printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, March 8, 1995]

#### REALITY-BASED BROADCASTING

(By Larry Pressler)

"Public broadcasting is under attack!" "Congress wants to kill Big Bird!" These and other alarmist cries have been common in recent weeks. The problem is they are lies. That's right, lies. I tried to conceive of a more polite way to say it. I could not. With rare exceptions the press largely has ignored the specifics of the position taken by members of Congress seeking to reinvent public broadcasting.

I have struggled to make my position clear. Yet the misrepresentations continue. I am convinced many simply do not care to report the facts—facts they do not find as interesting as the scenarios they create. That is too bad. The average American taxpayer would find the facts extremely interesting.

As chairman of the Senate Committee on Commerce, Science, and Transportation, I am not seeking to destroy public televisions and radio. I am a strong supporter of public broadcasting, both in my home state of South Dakota and nationally. Pull the plug? Absolutely not. Rather, my plan would expand opportunities and save taxpayer dollars.

Why do I seek change? Because times have changed. Today's electronic media are vastly different from those of the 1960s, when the current system of federal subsidies for public broadcasting was established. The old theory of "market failure" for educational programming is completely untenable in today's environment. Educational and cultural programs can and do make profits when their quality is good and marketing astute. The only money losers in today's arrangement are the taxpayers.

A Feb. 24 Post editorial stated it is time for the public broadcasting industry to face reality. The issue no longer should be whether federal subsidies for public broadcasting will be cut. I could not agree more. Congress now is debating when and how much. The House Appropriations subcommittee on labor, health and human services already has cut the public broadcasting budget. The House leadership promises more to come. I fully expect the Senate to follow suit.

Instead of crying over public cash, it would be more prudent for public broadcasting executives to use their talents and resources developing the numerous potential sources of revenue available to replace the federal subsidy rather than continuing to fan the flames of fear and exaggeration. As captains of a major corporation, their responsibilities should be clear. The Corporation for Public Broadcasting (CPB), National Public Radio (NPR) and the Public Broadcasting System (PBS) need to learn to stand on their own feet.

To help in that effort, I recently provided the chairman of the board of CPB with a plan to end its dependency on federal welfare in three years. Ideas to end CPB's addiction to taxpayer dollars include:

#### PROFITS FROM SALES

CPB should renegotiate sales agreements and improve future agreements to get a larger share of the sales of toys, books, clothing and other products based on its programming. In 1990, Barney-related products retailed at \$1 billion! Steps have been taken by the CPB board to improve its share of such sales. More should be done.

#### MAKE THE MOST OF NEW TECHNOLOGY

Use of new compressed digitization technology would permit existing noncommercial licensees to expand to four or five channels where once they had only one. Public broadcasting stations could rent, sell or make use of the additional channels for other telecommunications and information services.

#### END REDUNDANCY

At least one-quarter of public television stations overlap other public television stations' signal areas. Public radio also suffers from the inefficiencies of redundancy. Ending this overlap and selling the excess broadcast spectrum would provide substantial revenues to public broadcasting.

#### SWITCH CHANNELS

Moving public television stations from costly VHF channels to less costly UHF channels in certain markets would provide a substantial source of new revenue.

#### TEAM WITH OTHER INFORMATION SERVICES

CPB could increase commercial arrangements in the computer software markets and with on-line services.

These are only a few of the ways in which the CPB could reinvent itself into a self-sufficient corporation for the '90s and, indeed, for the next century. Ending federal dependency does not end public broadcasting. Today's subsidy amounts to only 14 percent of the industry's spending! Indeed, my current plan asks the Corporation for Public Broadcasting to end its dependency on federal welfare in three years—that's one year more than what current proposals would give welfare recipients to get off federal assistance.

It would be tragic if the public broadcasting industry ignores its responsibilities when the federal budget is in crisis. It also would be tragic if the industry spurns exciting opportunities in new markets and technologies. Perhaps most tragic of all, however, would be continued retrenchment from public broadcasting executives crying, "It can't be done." It can be done. It should be done.

Mr. PRESSLER. Mr. President, I have felt strongly that the Corporation for Public Broadcasting does not need Federal dollars. I serve as chairman of the committee that oversees the Corporation for Public Broadcasting. The public broadcasting sits on a treasure trove of opportunities that will enable it to become self-sufficient.

I have had some disagreements with the Washington Post over the reporting on this issue, and I thank them for running my article this morning. My article explains five ways public broadcasting on a national level can be funded without taxpayers' dollars.

Now, remember that most State public radio and TV organizations are funded by State legislatures and by contributors. My concerns are about inside-the-beltway operations here, where a system has sprung up that I feel is self-serving. A significant amount of Federal funds does not get out to the States. Federal money that is sent out ends up coming right back to Washington.

In my op-ed, I point out that there are a number of ways that national public broadcasting can make money. No. 1, they can get a higher percentage of ancillary sales of products based on programs that appear on taxpayer-funded public broadcasting. They can also market much of their product through digital compression, and making programming available for sale through other parts of the information superhighway.

They can also sell or rent some of their spectrum in signal areas where there is redundancy and overlap. Indeed, digital compression also frees up spectrum that could be rented or sold for other telecommunications and information services. They already have what they call enhancements—others might call them advertisements—and they have fundraisers.

Mr. President, I support public broadcasting. I have been a contributor to public broadcasting in the past. My colleague in the House, NEWT GINGRICH, also has assisted a public broadcasting station in his home State of Georgia during a recent fundraising drive. But what this Senator is concerned about—and I speak only for myself—is the inside-the-beltway system that has grown up.

That money is not getting out to the States' public broadcast radio and TV. It is sent out, but much of it gets sent right back to Washington to pay for PBS or NPR programming. I would rather they have more options. Some might want to buy programming from the Learning channel or Arts and Entertainment or the Disney Channel or the History channel. There is a lot of this kind of programming being made for profit, and I commend them.

In conclusion, Mr. President, I hope that my colleagues will take note of this article. Because regardless of my position on this issue, even the Washington Post has also pointed out in another editorial that the days when pub-

lic broadcasting is funded by the Federal Government are coming to an end. I have suggested five ways they can fund themselves without Federal assistance.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCIS-SIONS ACT

The Senate continued with the consideration of the bill.

Mr. HELMS. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending question is amendment No. 326 offered by the Senator from North Carolina, to the first committee amendment.

Mr. HELMS. Is it correct that the yeas and nays have been ordered on that amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. HELMS. Mr. President, I am advised that a Senator on the other side who does not wish this amendment to pass, despite the clamor for it by Cuban people everywhere—and we have millions of Cubans in this country—I understand that the distinguished Senator is going to raise a point of order claiming that this amendment is legislation on an appropriations bill.

Well, la-di-da. We legislate regularly on every appropriations bill. The Appropriations Committee itself reports out legislation on just about every appropriations bill. But let it be known, if such a point of order is raised, it is a ruse to do nothing about Fidel Castro in Cuba. Anybody voting to support that point of order will be voting to do nothing about Fidel Castro.

True enough, sooner or later, we will get to it in the normal process of the Foreign Relations Committee, of which I am the Chairman. But I do not want to delay one more day for the removal of Fidel Castro from Cuba. He is a tyrant, a Communist tyrant who has been so cruel in his treatment of his own people.

So I wish to forewarn Senators that any point of order based on this amendment's being legislation on an appropriations bill is nothing but a ruse. You cannot get to it any other way, so you are going to try to get it defeated on a point of order. I hope that the Senate will not buy that turkey because it is not justified. I reiterate, again and again as Franklin Roosevelt used to say, every appropriations bill that comes through this Chamber has legislation in it, often put there by the Appropriations Committee itself.

So do not be deceived. A point of order is just a ruse to defeat this amendment when no other avenue of defeat is available to any Senator raising such a point of order.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 2:52 p.m., recessed subject to the call of the Chair.

The Senate reassembled at 4:28 p.m., when called to order by the Presiding Officer (Mr. KEMPTHORNE).

#### EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCIS-SIONS ACT

The Senate continued with the consideration of the bill.

Mr. KEMPTHORNE. The pending question before us is amendment No. 326 of the Senator from North Carolina in the second degree to the first committee amendment.

Mr. D'AMATO addressed the Chair.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. D'AMATO. Mr. President, I ask unanimous consent that I may be permitted to proceed as if in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MEXICAN PESO CRISIS AND BAILOUT

Mr. D'AMATO. Mr. President, it does not take a great economic wizard or professor to know that some deeply troubling things are taking place with the American economy. So I am going to address myself to a couple of points, because when we see a 10-percent drop in the value of the dollar against some foreign currencies, the dollar going from close to 100 yen per dollar to below 90, and now so-called stabilizing at or about 90, this should be very, very troubling to people.

Mr. President, the time has come for Congress to stand up and fight for the American taxpayers—the men and women who must work harder and harder just to make ends meet.

Last month, President Clinton ignored the will of the American people to bail out a mismanaged Mexican Government and global currency speculators. That was wrong.

Now that the dollar is in a free fall, Congress must closely examine the administration's raid on our Exchange Stabilization Fund to bail out Mexico. That fund, known as ESF, is supposed to be used to strengthen the dollar. It was never intended to prop up either the Mexican peso or foreign currency.

The American taxpayers and the American dollar have taken a double hit. First, the failure of the balanced budget amendment has sent a clear signal to the economic markets that we do not have the courage to cut the deficit and strengthen our economy.

And then, add to that, the President of the United States out campaigning against the balanced budget amendment, telling the world's economic markets that we are not serious about reducing our deficit. If we do not get the Federal deficits under control, we are going to be Mexico II.

It is ironic, Mr. President, that here we are fighting to stabilize Mexico's peso and our dollar is just in free fall. Oh, we have propped it up for a while. But what the marketplace is telling us is, if you continue this, if you do not have the courage to get your house in order, you will be Mexico II.

It is ironic that we spend as much time as we have with Mexico, the President lobbying Members of this Congress to support loan guarantees, first \$40 billion, now we have \$20 billion, and campaigning against a balanced budget amendment that would do something that would have an impact to strengthen the American dollar, to cut the deficits, to bring interest rates down. And now we are faced with just the opposite.

The second tough hit we took was the administration's blatant disregard of the will of the governed when they opened up our Treasury to \$20 billion of our taxpayers' money.

Now, who does that money go to? Where is it being spent? There is not one Member of this Congress who can tell us how that money is being spent. There is not one Member of this Congress who can say that the Mexican Government is not still continuing to print pesos.

Why are we doing this? Who is getting paid off? Who is getting the money down there?

We just read where we have the man who was murdered, the No. 2 man in the Mexican Government, his brother-in-law ran away and they found he has \$6.5 million in the bank, American dollars.

Is that what we are doing? We are not talking about a democracy. That is a corrupt, dictatorial government. Those elections are a farce. It is about time we ponied up and told the people the truth.

Never before has a President sent \$20 billion from our Exchange Stabilization Fund to bail out a foreign country. This is not the President's personal piggy bank.

Mr. President, Congress must not stand on the sidelines while the admin-

istration allows the dollar to fall in a failed attempt to save the peso and a failed administration policy toward Mexico. Congress has an obligation to insist that the administration account for its actions.

The Banking Committee will hold hearings tomorrow and Friday on Mexico and on the administration's use of the funds to bail out Mexico and the impact of Mexico on the dollar. We have an obligation to determine what the administration knew about Mexico and when did the administration know it. We have an obligation to investigate whether the administration's inaction or silence caused the crisis or exacerbated it. We have an obligation to find out if this administration advised Mexico to devalue the peso.

The vast majority of Mexicans, Mr. President, deeply resent the Clinton administration's meddling in their affairs. There is a grave risk that the Mexican people will blame the United States for Mexico's economic meltdown.

Could you imagine if your interest rates on your home went from 20 percent on the mortgage to 85 percent and you were told that is because the Americans have insisted on these new austere measures? Is that designed to gain us respect and confidence from the Mexican people?

The Mexican economic policy should be set in Mexico and not in Washington, DC.

The President has set a terrible precedent. What happens next time the peso collapses? What happens when some other country hits an economic currency collapse? Does the American taxpayer come forward and bail them out? What happens if our neighbors to the north have serious economic problems? We gave \$20 billion or made it available to Mexico. Certainly Canada is every bit as important, and historically has been very close to this country.

Can we afford to bail out the global currency speculators every time a foreign currency collapses? Who will bail out the United States if we collapse under a mountain of debt? The Japanese? The Germans? I doubt it.

Make no mistake about it. The time for Congress to act has come. I understand that, as of March 3, the Mexican Government has already drawn down \$3 billion of the first \$20 billion and it will draw down another \$7 billion by the end of June.

Before Mexico draws down further funds, and particularly in view of the deteriorating situation in Mexico, I think Congress must reassert its right and its prerogatives with regard to this matter. Congress must consider whether or not we should amend the ESF statute.

The President was wrong to go around Congress to bail out Mexico, and although I recognize that the Secretary of the Treasury must have some discretion in administering these funds, Congress must have the final say

on the spending of \$20 billion of taxpayers' money on what amounts to foreign aid.

The Constitution says we have to appropriate. This was just a mechanism and a vehicle to get around this, a loophole. Never intended for these purposes. Now that the dollar is under assault, the American people have a right to know the full facts. More of our money is being shipped to Mexico, and before it is being shipped, what is going to be taking place with that money? Mr. President, we must fight for the American taxpayers, not for mismanaged foreign governments and global currency speculators.

Mr. President, to conclude, let me say again that what we have seen is a misuse of this fund. Mr. President, that fund was never set up to be a guarantor or guarantee for foreign currencies. There was no prohibition, but it certainly was not set up for that purpose.

It seems to me that Congress has an absolute obligation, at the very least, to see how those moneys are being utilized and that the administration cannot hide behind a shield of some kind of executive immunity; that certainly at the very least we should know what conditions are being imposed as it relates to the money being drawn down, whether or not Mexico is complying, whether or not it was practical for those conditions that are being set out to be implemented.

Is it practical to raise interest rates to a height where we may have a revolution in the country? What about the stability of the Mexican Government? All of these are questions that are absolutely mandatory. We have a responsibility. The Government may have used this loophole—the President and the administration—but we have an absolute obligation to see how these funds are spent, at the very least, if not amend the statute, to see that this kind of invasion of the Treasury without congressional authority is never undertaken again. We intend to pursue that.

Mr. President, I think this should be very disturbing to all Members of Congress—Democrats and Republicans. There is no accountability. We are fighting to cut the budget. Yet here is \$20 billion, and I daresay, \$3 billion at least has been spent. We have not been notified how it has been utilized, nor whether this is just more money going to more corrupt officials, to more speculators.

Whether or not the American people have had a say in this, seems to me to be of some consequence and some importance. We, as their representatives, have had little if anything to say. We have little in the way of ability to give an accounting of how these taxpayers' dollars are being utilized.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HELMS. Mr. President, Senator DOLE and myself, and I estimate about 30 to 35 Senators who met at lunch today, had a purpose yesterday in my offering the pending amendment. We wanted to send a clear and unmistakable message to the administration that any proposal to make life easier for Fidel Castro will be vigorously opposed on a bipartisan basis by a majority of the U.S. Senators. The presence of Senator DODD on the floor illustrates that.

I believe that the point has been made. I believe it has been heard on Pennsylvania Avenue. If it has not, perhaps they should order some hearing aids.

Let me make a confession or two. First of all, I do not like to break the Senate rules, or bend them. When I offered the amendment yesterday, I knew that it was legislation on an appropriations bill.

The distinguished Senator from Hawaii and I have a little joke about sanctimony, about when an amendment is legislation on an appropriations bill. This is done all the time. But that does not make it right, really.

So my intent yesterday was just to make a point—and I had discussed with Senator DOLE my intention to make a few remarks, which I did, and then to withdraw the amendment. But there was so much excitement about the amendment and so much support for it that I had to back up and see what I had to do.

The pending amendment, the Helms amendment, as the television is referring to it, is in fact the exact text of S. 381, "The Cuban Liberty and Democratic Solidarity Act," which I introduced on February 9, with 21 cosponsors. There is a companion bill in the House with a number of cosponsors—I do not know the exact number.

Let me say this: As chairman of the Senate Foreign Relations Committee, and the distinguished Senator from Connecticut is an able member of that committee, I guarantee—and I think Senator DODD will help me—that S. 381 will be the subject of a hearing, as early as about the 1st of May, before we get to it because of various schedules in the Senate.

I say again that the pending amendment is legislation on an appropriations bill. While every appropriations bill does have legislation in it, at least everyone which I have seen, I do not enjoy testing the working rules of the Senate.

Mr. President, I ask unanimous consent to vitiate the yeas and nays on the pending amendment.

The PRESIDING OFFICER (Mr. GORTON). Is there objection?

Mr. DODD. Mr. President, reserving the right to object, and I will not object, first, I thank my colleague from North Carolina for his courtesy.

Also, something that should come as no great surprise to people who have been around here any length of time, the Senator from North Carolina, I suppose next to our distinguished colleague from West Virginia—I think he would agree with that—is about as good a master of rules as there is in the U.S. Senate, but also one who respects the rules. He knows how to use them effectively, but also respects them. I am not surprised in any way that he would take the position he has on the procedural issue here at all. I commend him for that.

This is a complicated piece of legislation. There are a lot of sections to it. I am delighted that there will be a hearing. I look forward to it and will participate in it.

Let me also say, Mr. President, if I can, that I picked up yesterday's morning paper and read the headline of the paper and had no prior awareness or knowledge that something was changing with regard to our policy in Cuba. Whether or not I agreed with the sanctions being in place, the fact they were there, the fact that something may be done, came as somewhat of a surprise.

I have suggested to my colleague, Mr. President, the Senator from North Carolina, that we might request in the next few days a meeting with the appropriate personnel from the State Department or the White House to have a private briefing with Members as to exactly what is being considered, what actions may be taken.

I think that may be an appropriate way to find out whether this is exactly just a news story or there is something more to it. We can find that out. I certainly support the Senator in that request that we get a briefing.

Again, I look forward to the hearing. I appreciate immensely the decision of the Senator from North Carolina, the chairman of the committee, not to proceed with this particular amendment at this time.

The PRESIDING OFFICER. The Senator from North Carolina has asked unanimous consent to withdraw the yeas and nays.

Without objection, it is so ordered.

Mr. HELMS. Mr. President, I now withdraw the amendment.

The PRESIDING OFFICER. The Senator has the right.

The amendment (No. 326), as modified, was withdrawn.

Mr. HELMS. Mr. President, I thank the Chair. I thank my friend from Connecticut. It is always a pleasure to work with him.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that I may

speak for up to 10 minutes, as if in morning business.

The PRESIDING OFFICER. The first committee amendment is pending.

Mr. MURKOWSKI. Mr. President, I ask that the pending amendment be set aside until I complete my speech.

The PRESIDING OFFICER. Is there objection?

Mr. BUMPERS. Mr. President, reserving the right to object, and I shall not object, I would like the unanimous-consent order to also agree that upon the completion of the remarks of the Senator from Alaska, I be recognized for the purpose of offering an amendment.

The PRESIDING OFFICER. The Senator from Alaska need not ask that the committee amendment be set aside. He has asked unanimous consent to speak as if in morning business.

Does the Senator from Alaska modify his request, to be followed by the Senator from Arkansas?

Mr. MURKOWSKI. The Senator from Alaska is pleased to modify.

The PRESIDING OFFICER. Is there objection to the request as modified?

Without objection, it is so ordered.

The Senator from Alaska is recognized.

Mr. MURKOWSKI. Mr. President, yesterday, Senator CRAIG and I, and a number of our colleagues introduced the 1995 mining law reform bill.

Mr. President, during the last several years, members and staff of the Committee on Energy and Natural Resources have spent thousands of hours debating, staffing, and pontificating reform of the 1872 mining law.

During the 101st, 102d, and 103d Congresses, legislation to reform the 1872 mining law has been introduced, debated, and actively pursued. Last year, Congress came within striking distance of enacting comprehensive legislation. Unfortunately, negotiations on a final bill broke down during conference consideration and Senate and House leadership made the decision to pull the plug on reform in the 103d.

Mr. President, I rise today to join with Senator CRAIG and others to begin the debate on mining law reform in the 104th Congress. I've thought long and hard about reforming the 1872 mining law. What effect will reform have on the mining industry? Will the legislation cost jobs? What impact will reform have on exploration and development in the United States? Will the environmental community support mining law reform? The bottom line is this: The voters sent a clear message to Congress in the November elections. No more delay, no more gridlock; get on with the Nation's business.

The debate over mining law reform has been around longer than many of us in the Senate. Everyone agrees there should be reform, the question is what kind of reform?

We need to protect the environment, but we also have a responsibility to

protect and create jobs in the United States. We should encourage exploration and development in the United States, not only for the hardrock mining industry, but for all of our natural resource based industries. We should not drive these industries off shore.

During the last 12 years we've seen the oil and gas industry lose approximately 500,000 jobs in the United States. I do not want to see this happen to the hardrock mining industry.

The legislation we are introducing today is real reform. It is comprehensive reform that addresses every substantive issue raised during the past several years of debate.

#### PATENTS

Critics argue that patenting must be eliminated because individuals can patent/purchase land for \$2.50 per acre and that some of these patented lands can be used for nonmining uses—ski cabins or fishing lodges.

The Craig-Murkowski bill specifically requires miners to pay fair market value for the surface of mineral-bearing lands and includes a provision requiring all patented land to be used for good faith mining purposes.

If the Secretary of the Interior discovers patented land being used for any purpose other than conducting good faith mineral activities, the Secretary is required to serve notice to the owner of the patent to stop nonmining activities. If the owner does not comply with the Secretary's notice, the State in which the patented land is located will have the opportunity to take title to the patented estate. If the State does not want the land, title and interest in the estate will revert to the Federal Government.

#### ROYALTY

Critics argue that individuals are allowed to extract minerals from the Federal estate without paying a royalty to the Federal Government.

The Craig-Murkowski bill requires miners to pay a 3-percent net proceeds royalty. The royalty is modeled on the Nevada net proceeds on mines tax, a well-established program which—like the mining taxes of many of the western States—collects substantial revenues at a very modest administrative cost.

In 1993 Nevada collected \$34 million in net proceeds taxes at an administrative cost of less than two-tenths of 1 percent.

The bill shares royalty revenues with the States. One-third of the royalties will be distributed to the States from which production comes, one-third to individual State abandoned mine funds, and one-third to the U.S. Treasury.

Why a net royalty for hardrock mining and a gross royalty for oil and gas?

It's simple, oil and gas come out of the ground in a condition almost ready for market.

Impurities are then extracted from the oil and gas.

Gold, silver, copper, and other hardrock minerals come out of the ground as raw ore in the form of rock-like material.

Before a gold bar can be produced, several steps must be taken that add value to the product.

Crushing; separating rock from the mineral; beneficiating to remove foreign materials; producing a concentrate; and smelting.

In short, an operator must take several steps to get hardrock minerals ready for the market. The theory that the oil and gas industry is similar to the hardrock mining industry is just not true.

#### RECLAMATION

Critics argue that the hardrock mining industry needs Federal reclamation standards.

In 1979, in a study authorized by the Surface Mine Control and Reclamation Act [SMCRA]—the COSMAR study—the National Academy of Sciences concluded that uniform Federal reclamation standards—like those in SMCRA—were not appropriate for hardrock mining.

Furthermore, in January 1995, the Western Governors' Association [WGA] released a position paper on mining law reform in the 104th Congress. The WGA specifically requested that "Reclamation on federal and non-federal lands should be conducted at the state level, through existing state abandoned mine programs where possible, rather than creating new duplicative federal reclamation programs."

In other words, please don't create uniform Federal reclamation standards.

In 1995, every State with substantial areas of Federal lands open to mineral location under the general mining laws has adopted substantive reclamation standards for hardrock mining. State standards are tailored to the environment of the States where the mining will occur. Disturbances created by mining on Federal lands must be reclaimed, but the standards found in State reclamation law should provide the substantive requirements of every reclamation program. The Craig-Murkowski bill recognizes that State reclamation standards, along with applicable Federal and State environmental requirements, are adequate to prevent unnecessary and undue degradation.

#### RECLAMATION

During last year's House-Senate conference, over my objection, language was included in the chairman's mark which gave the Secretary of the Interior authority to regulate control over western water resources.

The Craig-Murkowski bill does not. I repeat, this bill does not include any provisions which threaten to upset the historical vesting control over western water resources in the Western States.

The Western Governors' Association has made it clear that they don't want the Federal Government involved in the regulation of western water rights.

#### SUITABILITY

Critics argue that the Secretary of the Interior should be allowed to make a suitability determination related to each mining proposal on Federal lands.

The Craig-Murkowski bill does not include a suitability provision because the provision is unnecessary and redundant.

Federal lands are already required to go through a suitability test. Lands open to mineral entry have gone or will go through the Department of the Interior resource management process. If people are not satisfied with the Bureau of Land Management's Land Management Program, Congress should change BLM, not insert suitability language in a mining law bill.

In addition, all mining plans of operation on Federal land undergo analysis under the National Environmental Policy Act [NEPA] either in the form of an environmental assessment or a full environmental impact statement.

Finally, any lands with special characteristics can be withdrawn from entry under the mining law pursuant to section 204 of the Federal Land Policy and Management Act of 1976 [FLPMA].

Mr. President, again, as I stated earlier, this legislation is comprehensive reform.

I say to the environmental community and the mining industry, if you truly want reform, this is the year.

If we fail to enact reform this year it will not be through lack of effort. I will pursue comprehensive reform starting with a hearing this month to consider the legislation we introduce today.

I urge my colleagues to support the bill.

#### REBUTTAL OF BABBITT CRITICISM OF MINING LAW BILL

Mr. MURKOWSKI. Finally, Mr. President, I would like to enter into the RECORD a response to the Secretary of the Interior with regard to his comments regarding the Craig-Murkowski bill.

He indicates a criticism, stating:

This law would do nothing to resolve the most glaring shortcomings of existing 1872 mining law.

As a rebuttal, I say the Secretary's position is either based on lack of knowledge or it is simply a falsehood, because the Secretary ignores the fact that the bill requires paying a fair market value for the surface estate of patented lands and using patented lands for good faith mining purposes. If a miner uses the patented land for nonmining purposes the land transfers to the State in which the patented land is located or reverts to the Federal Government. In addition, the bill imposes a 3-percent net proceeds royalty on minerals produced and prevents unnecessary or undue degradation of surface lands. This is not a do-nothing approach, Mr. President.

Further criticism, he states:

It continues the giveaway of valuable public-owned hardrock minerals like gold, silver and platinum for peanuts.

Again, the Secretary is wrong, Mr. President. The bill requires a payment of fair market value determined by the Bureau of Land Management appraisal methods for the surface of estate patented land. The bill requires a payment of 3-percent net proceeds royalty on the production of minerals from public lands. The bill also requires a one-time payment fee of \$25 per claim and a \$100 annual maintenance fee per claim. The amount of money generated by the fair market value net royalty and location and maintenance fees is not peanuts.

Mr. President, another criticism from the Secretary:

It is actually a step backward from existing law on a number of points such as the level of environmental protection that is now possible, and the amount of holding fee claimants would pay per acre.

That is absolutely incorrect, Mr. President. The Craig-Murkowski bill does not diminish environmental protection in any respect whatever. In fact, the legislation assures compliance with all major Federal environmental laws—including those governing air, water, solid and hazardous waste, endangered species, historic preservation, safety and health, toxic substances and others—and applicable State reclamation laws.

The environmental standard set by the Federal Land Policy and Management Act of 1976—prevention of unnecessary or undue degradation of public lands—is the standard adopted to the Craig-Murkowski bill, and the one against which mining performance will be measured under our bill.

The bill also contains \$100 per claim maintenance fee for the first 5 years following enactment, but thereafter requires the payment of \$100 fee for assessment work.

The last criticism, Mr. President:

It has a royalty that is likely to be a net loser to the taxpayers. Given the low royalty rate and the fact it is on net rather than gross proceeds, we believe it will cost more to administer than the Federal Treasury will receive.

Another falsehood. It is totally absurd. A 3-percent net royalty, which is patterned after Nevada net proceeds on mine tax, is likely to generate more revenue to the Federal Treasury in the long run than a gross royalty of the same amount. Why? Because a gross royalty forces companies to mine the high-grade, low-production cost mineral ores first to recover the costs of mining. Once the reserves are mined the companies would be forced to prematurely abandon low-grade, high-cost reserves. Is this what we want?

Second, the criticism of cost to administer the 3-percent net royalty is more of an indictment of Secretary Babbitt's own department than it is of the legislation. In 1993, the State of Nevada generated approximately \$34 million in revenues from the net proceeds tax, at administrative cost of less than

two-tenths of 1 percent. A study by Secretary Babbitt's own department indicates an 8-percent gross royalty would cost \$11 million to administer in the first year alone, and result in a loss of 1,100 jobs in 3 years.

The problem is not with the Craig-Murkowski bill. The problem is with Secretary Babbitt's bloated bean-counting bureaucracy at the Department of the Interior.

Finally in conclusion, there is not one criticism of our bill levied by the Secretary that has any merit. The facts contradict all the charges made by Secretary Babbitt and his supporters in the House, and for me to even have to respond to these half truths, absurdities and distortions in order to ensure that the mining law reform process begins properly is simply an outrage. I resent having to take the time of my colleagues to set the record straight, but it is necessary to set the record straight.

Finally, Mr. President, we have a criticism from our good friend, GEORGE MILLER, on the House side. His criticism is that the mining industry will become rich, the taxpayers will receive virtually nothing for their riches, and the environment will be desecrated. This is the type of the-sky-is-falling exaggeration we have heard from the House under the leadership of GEORGE MILLER for so long and it is absolutely an exaggeration.

What MILLER forgets is this: The mining companies will pay fair market value, royalties, maintenance fees and location fees and they also pay corporate income tax, and their employees will pay State and Federal income taxes. Materials, supplies, and equipment that their mines will use will cost millions of dollars and have to be made payable as a consequence of the prosperity of the people here in the United States. All this means is more economic activity.

Second, the entire Nation will benefit from mineral production and from the stimulation mining gives the economy, and finally the environment will remain protected by every single conceivable environmental law that Mr. MILLER and his colleagues could think to impose on an industry to make public land use more difficult and put the U.S. mining industry more at disadvantage in competing in global markets.

As a consequence, Mr. President, I think it is fair to let my colleagues reflect on not only is this administration critical of the mining industry as it exists in this Nation today, they are critical of the timber industry as it exists today, critical of the oil and gas industry, the grazing industry. It is hard to find one single natural resource industry that this administration supports.

As a consequence, we are exporting our dollars and losing our jobs. As chairman of the Energy Committee, I intend to hold hearings on these matters to try and reduce our dependence on imports by stimulating our own resource industry. I thank the President for the time allocated to me.

#### THE MINING LAW REFORM ACT OF 1995

Mr. DOMENICI. Mr. President, I rise today to join Senators CRAIG and MURKOWSKI by cosponsoring reasonable and responsible legislation to reform the mining law of 1872. Our goal in revising this act is twofold, to maintain mining and mining jobs, and to provide for a healthy environment.

First, I would like to deal with the environmental components of this legislation. This legislation affirms that mining activities are subject to at least 15 Federal laws designed to protect the environment, as well as any State regulations that have been adopted since the original mining law was passed in 1872. A partial list of Federal laws includes: the Clean Water Act, the Clean Air Act, the Endangered Species Act, the Federal Mine Safety and Health Act of 1977, the Solid Waste Disposal Act, the Federal Land Policy and Management Act, the National Historic Preservation Act, the Forest and Rangeland Renewable Resources Planning Act of 1974, and the Toxic Substances Control Act of 1990. Although this list is not complete, I believe that it illustrates that modern miners operate far differently than the old image of the prospectors from the unregulated days of the industry. This legislation will ensure that this is the case.

The reclamation of mining sites is an important part of this legislative proposal, as well as the provision for requiring financial assurance that the work will be accomplished. The filing and approval of the plan of operation with the land management agency has been an important component in mining of public lands. This legislation promotes its importance and requires that environmentally sensitive reclamation is included in the plan.

It is important that mining be planned through the entire operation until reclamation is completed. With the highly speculative nature of the industry, even well intentioned operations may falter before completion. With this bill, financial assurance will be provided in advance of operations to assure the mined lands will be reclaimed.

Providing a reclamation program for abandoned mine sites is another feature of this legislation. The program will greatly improve those sites that have been long overdue for restoration. The costs of environmental repair will be derived from funds generated through royalty payments by the mining industry.

While several fees are set in the body of this bill, let me focus on the major new economic item, the royalty. I am concerned about the imposition of a royalty on hardrock mining, knowing that it will be an added cost in jobs to an industry that often faces difficult economic times.



Consequently, I support the imposition of a royalty allowing for some specific costs of production to be deducted prior to the royalty being assessed. This has been demonstrated in several studies to be the most reasonable method of assuring that the taxpayers will receive a return from the production of minerals on Federal lands. In addition, a similar provision adopted by the State of Nevada has proved to be relatively simple to administer, and it provides a substantial return to the taxpayers of that State, while allowing for the continuation of mining jobs that are vitally important to the economy of that State.

One-third of the revenues from the royalties will be distributed to the States from which the mining was conducted to assist these States in offsetting the costs of infrastructure that support the mining industry. These funds will also be available to the States to offset the costs of enforcement of both State and Federal regulations.

The second third of royalty revenues will be held on deposit and dedicated to programs for the reclamation and restoration of abandoned mine, mill, and processing areas. Not all States have reclamation funds established to assure financing for such activities. It is unquestioned that we are faced with abandoned sites throughout the Nation that need attention. With this legislation, we will provide a source of funding for the reclamation programs on lands where the mining practices of the distant past have resulted in well publicized environmental problems.

The final third of revenues collected from the royalty established in this legislation will go directly into the Federal Treasury for deficit reduction.

The Mining Law Reform Act of 1995 is a sensible and significant reform of the general mining laws. It provides the needed assurances to allow mining to continue to provide needed jobs and resources in this country, as well as requirements that the environment will be protected. The provisions for access and patenting are included in this legislation because of the importance for these to make mining viable and workable. Added to the law are adequate bonding to assure that the reclamation envisioned will actually occur on every operation, a royalty that provides support for abandoned mine reclamation and a return to the Federal Treasury, and assurances that lands patented for mineral activities will be used for that purpose, and that purpose only.

#### EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCIS-SIONS ACT

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. Under the previous order, the Senator from Arkansas is recognized.

Mr. BUMPERS. Mr. President, is there a pending amendment at the desk?

The PRESIDING OFFICER. The first committee amendment is the pending amendment.

Mr. BUMPERS. Mr. President, I ask unanimous consent the pending amendment may be laid aside so I may offer an amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

#### AMENDMENT NO. 330

(Purpose: To restrict the obligation or expenditure of funds on the NASA/Russian Cooperative MIR program)

Mr. BUMPERS. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS] proposes an amendment numbered 330.

Mr. BUMPERS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the bill add the following:

SEC. . Notwithstanding any other provision of law, effective 30 days after the date of enactment of this Act, none of the funds made available for the National Aeronautics and Space Administration by any previously enacted Act shall be obligated or expended for the NASA/Russian Cooperative MIR program, unless the President certifies to Congress that Russia has agreed not to sell nuclear reactor components to Iran.

Mr. BUMPERS. Mr. President, I will be very brief, and I think that the floor managers might be in a position to accept this. It goes right to the heart of something that is near and dear to me, and I think all Senators and, indeed, the country share my sentiments. This simply says that the funds which have been allocated to NASA in 1995, \$251.9 million, for cooperation with the United States-Russian MIR space station will be suspended effective 30 days after the adoption of this amendment until the President certifies to us that the Russians will not sell nuclear reactors to Iran.

Now, Mr. President, as you know, opposing cooperation with Russia is not normally my cup of tea. I have been a strong supporter of the Nunn-Lugar initiative to help the Russians dismantle their bombers and their nuclear weapons. That is in our interest. That is the reason we do it. But for the Russians to cavalierly sell nuclear reactors to the number one terrorist regime in the world is not in their interest; it certainly is not in our interest—indeed, Mr. President, it is not in the world's interest—until there are significant changes in the governing body of Iran.

It is a militant regime. To the State Department and everybody else who assesses the nations most culpable in shielding terrorism, Iran is always at the top of the list.

Now, Mr. President, this does not need to be debated. What I have just said is absolute, and I believe that ev-

erybody in this country agrees with the principle. I wish to help Russia. I want them to become a real democracy. I want them to become viable economically. But I do not want to be sending all this money to Russia if they are going to demonstrate a callous, total indifference to the safety of this world from nuclear weapons by selling nuclear technology to renegade governments such as Iran.

Until this very day, Mr. President, until this very day, whenever there is a demonstration in Tehran, Uncle Sam and the American flag are invariably the subject of all the venom that the speakers and the marchers can muster.

I am not trying to destroy the cooperation between the United States and Russia in space. But we are funding almost one-third of the entire Russian space program, and it is on the ropes. Thus the Russians need space cooperation with us more than we need space cooperation with them. I do not want to kill the Russian space program. But I do not want them selling reactors to Iran either.

Mr. President, I yield the floor.

Mr. President, I ask unanimous consent that Senator LAUTENBERG be added as a cosponsor of this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. Mr. President, today the Senate is considering H.R. 889, the Defense emergency supplemental appropriations. This bill provides \$1.96 billion to the Department of Defense for readiness by rescinding funds from other DOD programs. I will support H.R. 889 because it replenishes defense funds which were depleted to support unbudgeted operations in Haiti, Somalia, Rwanda, Bosnia, Korea, and refugee support in the Caribbean. Without these reimbursements, defense readiness will certainly suffer.

The Chief of Staff of the Army, Gen. Gordon Sullivan, testified before the House National Security Committee that "readiness will drop off the table" if the supplemental appropriations is not passed. He further stated that all Army training will cease May 31 if the funds are not provided. The Navy reports that 4 carrier airwings would be forced to stand down and 500 aircraft would be grounded. The Air Force has indicated that its flight time would be cut in half if the supplemental fails.

The readiness crisis faced by the Armed Forces is not, unfortunately, a recent phenomenon. Defense Secretary William Perry admitted last year that in 1994, 3 of the Army's 12 divisions were far below peak readiness standards, and that 2 of the Army's main quick-reaction units would have been unable to fulfill some of their missions if they were ordered into combat. It was further revealed that, due to funding shortfalls, some platoon leaders had never taken their soldiers into the



field for training exercises, tank crews had not completed their drill evaluations, and platoons had not been evaluated with live fire exercise.

The Armed Forces have found themselves in a readiness crisis for a variety of reasons, such as the new, unplanned deployments mentioned above. But, increased spending on nondefense items in the defense bill is another reason that funds are being syphoned off readiness accounts. For example, non-defense expenditures imposed by Congress in last year's bill include funding for community roads, ponds, sewers, and a plethora of other development projects. The Department of Defense, for instance, is paying for security at the World Cup Games and the Olympics. DOD is even paying for the round-up of wild horses in New Mexico. Non-defense programs are growing, gobbling up larger portions of the defense budget. The Congressional Research Service estimates that nondefense spending by DOD has nearly quadrupled from \$3.5 billion in fiscal year 1990 to \$13 billion in fiscal year 1994.

This is not to say that all R&D programs are unjustifiable. Some technology reinvestment programs [TRP], for example, are properly funded through the Department of Defense, because the program demonstrates a direct linkage back to defense. Other programs, such as some of the projects identified above, have no linkage to defense. This Nation simply cannot afford to allow the defense budget to become the cash cow for nondefense-related programs. In my view the general rescission identified by the Appropriations Committee is justifiable provided the funds come from the nondefense programs.

I do disagree with the committee on one notable program recommended for rescission—the \$77 million for the Apache AH64 attack helicopter. Last year, the Congress provided \$77.6 million to procure 6 AH-64A aircraft because, as I recall, we were concerned that a break in production between the AH-64A and AH-64D could cause the program to escalate the costs of the low-rate procurement. At the same time, the Army requested \$117.7 for advance procurement of Longbow radar, a key modernization feature, but only received \$80 million. Faced with a difficult choice, the Army elected to submit a reprogramming request in order to proceed with full funding of the Longbow radar at the expense of the procurement of the six helicopters. The committee rejected the reprogramming request and rescinded the \$77 million.

I believe this action is a mistake since the Longbow program is clearly an essential Army helicopter modernization effort and certainly a justifiable defense program. For this reason, I intend to work with the chairmen of the House and Senate Appropriations Committees to restore the funds for the Apache-Longbow procurement.

Mr. INOUE. Mr. President, may I suggest the absence of a quorum?

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, if during this period the managers do not mind, I would ask unanimous consent to be able to speak for 10 minutes as if in morning business and to set aside the pending amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from North Dakota is recognized for not to exceed 10 minutes.

#### THE U.S. WORLD TRADE DEFICIT

Mr. DORGAN. Mr. President, today there has been discussion in Congress about the problems of the dollar on the international currency exchanges and the collapse of the dollar in the last week or two and especially the collapse of the dollar in recent months.

I noted that one of the leaders of the other body said, well, that dollar problem relates all to the constitutional amendment to balance the budget. Mr. Greenspan, the head of the Federal Reserve Board, testified before a congressional committee today, and he said that there were several reasons for the collapse of the dollar.

I would like to add my opinion today to what is happening. I think people need to know that the collapse of the dollar on the currency exchanges is not something that should be unexpected, given the current circumstances in this country.

We received about 3 or 4 weeks ago the trade data for December, which means that we have trade information for all of last year to try to evaluate how did America do in international trade.

The chart that I brought to the floor shows how our country has done in international trade in the past year. This chart shows a history full of red ink. It shows that in the last calendar year we suffered the largest merchandise trade deficit in the history of this country—in fact, the largest trade deficit in the history of humankind. This trade policy, yes, belongs to this administration, but it belongs also to the previous administrations because it is a continuation of the same trade policy we have been conducting and following in this country for nearly 40 years. The deficits are staggering in international trade.

Most importantly, you will see what is happening to our manufacturing base in this country. This is a chart that shows foreign imports taking over now one-half of the manufacturing gross domestic product in our country. In 1970, manufacturing imports as a percent of U.S. manufacturing GDP was 10 percent. Last year, it was nearly 50 percent. You can see what is hap-

pening to manufacturing in this country by virtue of what we are importing in manufactured goods.

“U.S. faces historic losses in manufacturing trade.” In other words, the trade on goods that are manufactured, that is a trade process in which we lose. The fact is in international trade, there are winners and there are losers. The winners have the jobs and the opportunities, and the losers suffer economic decline. This trade picture in this country shows a picture, a bleak picture, of decline, and it is something that we must change.

The last chart is an illuminating one. It shows what has happened in recent years to the major economic powers, the net exports of the major economic powers in the world. And you will see what has happened to Japan, to Germany, and then take a look at what has happened to the United States in terms of net exports. It has collapsed. It weakens and injures this country.

This trade policy does not work. This trade policy flows from the post-Second World War era, when our country decided that our trade policy was also going to be our foreign policy and we were going to have trade policies that helped a lot of other countries get back on their feet. These days the continuation of that policy weakens our country. Our country suffers very stiff, steep deficits in international trade balances, and the fact is it means lost jobs and lost opportunity here in the United States.

We hear this chant about free trade. Well, the suggestion is that we should compete anywhere around the world and win. That is free trade. If it is free, if it is open competition, we should compete and we should win.

The difficulty, of course, is in free trade this chart shows the average manufacturing wages in various countries. The United States is here, \$16.79 an hour. Germany is up here at \$25, and you can see who we are going to compete with. We compete with countries around the world where they pay 12 cents an hour to 12-year-olds who work 12 hours a day to manufacture products and say that is free trade; there are no tariffs on that commodity trade, so you go ahead and compete, Mr. and Mrs. America.

The problem is American workers cannot and should not have to expect to compete against 12-cents-an-hour wages, and yet that is where we are in that kind of trade scheme in this country.

I want to put the first chart back up because this is what I want to talk about, the historic trade deficits in this country today and the need for us to fundamentally revisit trade strategy and decide that we need to reinvent our trade strategy in this country.

The post-Second-World-War trade strategy of 50 years is failing this country and it is injuring this country.

These trade deficits cannot be compiled in a country like ours without threatening the dollar, weakening the dollar, and causing the collapse of the dollar we have seen over a period of a dozen years on the international currency exchanges.

I have talked about the numbers, but the specifics are even more devastating. If you take a look at the specifics on the 1994 trade deficit what you find is that our trade deficit in autos and auto parts total \$50 billion; our trade deficit in data processing equipment and parts totals \$21 billion; telecommunications equipment, \$17 billion; electrical equipment, \$13 billion. These are the high-technology items in which manufacturing pays good wages. These are good jobs. These are the very items we ought to be winning in and instead we are losing. It is where our jobs are being exported in wholesale quantity to other parts of the world.

In fact, if you take a look at this trade deficit you will see, though I have not annotated the countries on here, we have a nearly \$65 billion trade deficit with Japan at a time when the dollar is at a nearly record low against the yen. That is a time when you would expect we would be making progress in reducing our trade deficit with Japan. In fact it grew. Our trade deficit with China is \$30 billion and growing astronomically; again, shipping American jobs outside of this country and weakening America's currency and causing others around the world to look at this mess and say, "We do not have confidence. We do not have the kind of confidence we should because the fact is this country, the United States of America, is running an enormous trade deficit which it cannot continue to do."

At least with respect to the budget deficit you can make a case that it is money owed, one to other. With respect to the trade deficit, the trade deficit must be repaid by a lower standard of living in the United States. It is inevitable and it is true. This bleeds the American work force, bleeds American opportunity, and bleeds away American jobs.

I must say the Mexican example—largely I raise that because of the deterioration of the dollar—the Mexican example in my judgment is an example of the kind of policy we should not follow. When we link the American dollar to the peso—as we did when we formed an economic union with Mexico and as we did when we decided on a bailout strategy as a result of the collapse of the peso—it seems to me inevitable that we diminish confidence in the dollar, linked to an economic circumstance like they have in Mexico.

It is interesting, I did not support NAFTA but we were told, with NAFTA, if we can negotiate lower tariffs across the United States-Mexican border we will see a massive new trade coming across the border that will strengthen and help both countries. Of course what happened then was the peso was

devalued and the fact is to sell American goods now in Mexico means the American goods are 40-percent higher priced than they were when NAFTA was passed and Mexican goods to be sold in this country now sell at a 40-percent discount vis-a-vis when we passed NAFTA.

What has happened? We had a very significant trade surplus with Mexico, about \$4 billion. That shrunk last year to over a billion, and in recent months we even have a trade deficit with Mexico. Of course that threatens to grow.

My feeling is that as we look at the collapse of the dollar on the international currency exchanges and wonder why, we ought not wonder too long without understanding that a country cannot continue this kind of trade policy. Yes, I want open markets. Yes, I want free trade. But this country ought to take the lead in this world to say, "We also expect fair trade. There is an admission price to the American marketplace and the admission price to sell your products in the American marketplace is, yes, you must pay living wages. And you must have a safe workplace, and you cannot hire 12-year-old kids for 12 cents an hour."

We must, it seems to me, stand for our own economic interest and stop this kind of policy. That is the sort of thing that ultimately will strengthen confidence in the dollar on the international currency exchanges.

I hope this President and others who care about this issue—including Members of Congress—will decide that it is time for us to have a new Bretton Woods conference, a new type of Bretton Woods strategy in which we take a new analysis of trade strategy 50 years after the end of the Second World War and decide what is right for this country. What will set us on a course where we will not see these kinds of staggering trade deficits that weaken our country? What will promote new jobs, good jobs, with good income in this country?

I hear about everybody being upset in our country, and I understand that. At least one of the reasons the American people are upset is no matter what the economic indicators say, no matter what the dials and indicators say in the engine room with respect to this ship of state, most American families having dinner tonight understand they are working harder for less money. Mr. President, 60 percent of the American families earn less money today, if you adjust it for inflation, than they did 15 years ago. One can tell those American families, "Things are better for you." But if they are earning less money on a real income basis than they were 15 years ago, it is awfully hard to convince them that they are doing better. You do better when you have good jobs and good opportunity.

I might say, all the other issues that are going to come before this Senate in the coming months—almost all of those issues can also be addressed by good jobs with good incomes. You can

talk about welfare reform, you can talk about crime, you can talk about 100 different issues—you can address most of them in this country with a good job and opportunity for Americans who are skilled and want to work.

So, as we discuss the collapse of the dollar and all of the macroeconomic reasons and we hear the economists give us their notions of what is at work in the world, at least I would like to contribute, from this Senator, my notion that these staggering trade deficits, the worst in history last year, contribute to a weakening of the confidence in the American dollar and I think call out—virtually call out for a new trade strategy, a summit on international trade in this country, to wonder: What on Earth are we doing, bleeding away good American jobs and good income for the American people with a trade strategy that does this?

Let me finish by saying we have a Trade Ambassador, Mickey Kantor, who is the best I have seen since I have been in Washington. He gives me hope. He has been tough with other countries. He stood up to the Japanese and the Chinese and others to say this cannot continue.

I appreciate that. I want to offer him strength to whatever extent I can. But I also say we are dealing with a trade regime that is fundamentally flawed and we need to build a new foundation and a new understanding of the various obligations that we and our trading partners have for and with each other as we conduct commerce in the years ahead.

Our interests must in this country be interests in promoting and creating stronger means to promote jobs and opportunity and hope for the American people. Frankly, this kind of trade picture, not just with Democrats—yes, this is under a Democratic administration—but Republicans and Democrats together have embraced a trade regime that in my judgment is fundamentally flawed and cries out for reinvention and cries out for reform.

I yield the floor.

Mr. INOUE addressed the Chair.

The PRESIDING OFFICER (Ms. SNOWE). The Senator from Hawaii.

Mr. INOUE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATFIELD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCIS-SIONS ACT

The Senate continued with the consideration of the bill.

Mr. HATFIELD. Madam President, I ask unanimous consent to temporarily lay aside the Bumpers amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATFIELD. Madam President, I now ask unanimous consent to temporarily lay aside the committee amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. KASSEBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas [Mrs. KASSEBAUM] is recognized.

Mrs. KASSEBAUM. Madam President, if I may ask a parliamentary question, Is the Bumpers amendment the pending business? Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. HATFIELD. Madam President, if the Senator will yield, I may have gone too far in setting aside the committee amendments because I knew the Senator from Kansas wished to amend one of the committee amendments. Therefore, I ask to withdraw that unanimous-consent request of laying aside both committee amendments.

Will the Chair please instruct us which committee amendment we would lay aside in order to make it clear for the Senator from Kansas?

The PRESIDING OFFICER. Without objection, it is so ordered.

The first excepted committee amendment is pending.

AMENDMENT NO. 331 TO THE FIRST EXCEPTED  
COMMITTEE AMENDMENT

(Purpose: To limit funding of an executive order that would prohibit Federal contractors from hiring permanent replacements for striking workers)

Mrs. KASSEBAUM. Madam President, I send an amendment to the desk which is a second degree to the first committee amendment, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kansas [Mrs. KASSEBAUM] proposes an amendment numbered 331.

Mrs. KASSEBAUM. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the first excepted committee amendment insert the following:

SEC. 110. (a) Congress finds that (1) it is the role of Congress, as the representative body of the people, to decide the policy of the United States with respect to relations between management and labor; and (2) the executive branch should not use the Federal procurement process to initiate major changes in the labor-management relations of the United States.

(b) The purpose of this Act is to ensure that the Congress decides important labor-management relations policy by prohibiting the executive branch from spending any appropriated funds for the purpose of implementing an executive order that would debar or in any way limit the right of Federal contractors under common law to use permanent replacements for workers engaged in a strike.

(c) None of the funds made available under any appropriations Act for fiscal year 1995 may be used to implement, administer, or enforce any executive order, or other rule, regulation, or order, that limits, restricts, or otherwise affects the ability of any existing or potential Federal contractor, subcontractor, or vendor to hire permanent replacements for lawfully striking employees.

Mrs. KASSEBAUM. Madam President, if I may just explain for a moment, I believe it is going to be the expressed wish of the chairman and the managers on the floor to bring this amendment up again tomorrow, but I would like to briefly talk about it yet this evening.

I am offering an amendment which would prohibit the executive branch from spending any money to implement the Executive order limiting Federal contractors from hiring permanent striker replacements. This legislation assures that the Congress, rather than the executive branch, decides major labor-management relations policy.

Federal labor law permits workers to strike. It also permits employers to continue to operate during a strike, if necessary, by hiring permanent replacements for striking workers. This has been the law of the land for 60 years.

Madam President, as my colleagues may recall, during both the 102d and the 103d Congress, the Senate rejected legislation that would have amended our Federal labor laws to prohibit employers from hiring permanent striker replacements. In fact, more Senators voted against the measure in 1994 than in 1992.

In an attempt to make an end-run around the Congress, the administration today has issued an Executive order that would debar Federal contractors that hire permanent striker replacements. I view this as a direct challenge to congressional authority.

Congress makes the laws, not the administration. We have the responsibility, as the representative body of the people, to decide labor-management policy through legislation. The executive branch should not attempt to use the Federal procurement process to make major changes in our labor laws.

The amendment I am offering today prohibits the administration from spending any appropriated funds during the 1995 fiscal year to implement or enforce any Executive order that would limit Federal contractors or subcontractors in their use of permanent striker replacements. This amendment assures that the Congress, rather than the administration, establishes Federal labor policy.

Madam President, I understand that the administration contends that the striker replacement Executive order is no different than previous Executive orders issued by past Republican Presidents. This argument has no merit.

If I may just for a moment comment on those previous Executive orders. The Reagan and Bush administrations issued Executive orders requiring Federal contractors to post a notice in-

forming workers of their rights under Federal labor law, prohibiting Federal contractors from signing agreements that they would hire only unionized work forces, and prohibiting the illegally striking air traffic controllers from being rehired into Federal jobs.

None of these Executive orders that I mentioned—and there were three—dealt with a subject that the Senate had debated and rejected. None of these Executive orders was an attempt to make wholesale changes in the balance of labor-management relations. Clearly, these previous Executive orders differed significantly from the striker replacement Executive order.

Madam President, I suggest this action is without precedent. I urge my colleagues to give support to this amendment.

Madam President, if there is no further debate at the moment on this amendment, I ask unanimous consent to speak as if in morning business for a few moments.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING SENATOR JACOB  
JAVITS

Mrs. KASSEBAUM. Madam President, I would like to speak for just a moment in memory of Senator Jacob Javits, the distinguished New York Republican who served in this Chamber for 24 years. I think it does us all good to reflect on his career.

I was honored to serve with Senator Javits for 2 years. In that time, I came to admire and respect him as a man who always scrupulously prepared for any legislation, who worked hard out of the spotlight, and who voted his conscience. And what a conscience it was.

He did not have his name attached to very many bills—he was a Republican, after all, back when Republicans were not in the majority. Senator Javits served from 1958, just missing the years that the Republicans were in a majority at the time of President Eisenhower, to 1980, just again missing the time the Republicans had a majority.

But Jack Javits had his hand in more landmark legislation than most. The War Powers Act, the ERISA Act protecting private pensions, and the establishment of the National Endowment for the Arts and Humanities are often cited. But he also played important roles in civil rights and housing legislation, and late in his career, as the ranking member of the Foreign Relations Committee, he helped set the stage for the historic Middle East peace settlement.

Nine years ago yesterday, Senator Javits died. His daughter, now the director of a housing program for disabled homeless, wrote a tribute to her father for yesterday's New York Newsday. She carries on his legacy well. I ask unanimous consent that her article be printed in the RECORD. It is a fitting homage to her father, a man of public service and conscience. We miss

his presence, but we remember his example.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From New York Newsday, Mar. 7, 1995]

ABOUT REPUBLICANS—MY FATHER WAS CUT  
FROM A DIFFERENT CLOTH

(By Carla Javits)

Today is the ninth anniversary of my father's death. My sense of loss has been acute at times, and now is one of them. Jacob Javits served as a proud Republican in public office, entering the U.S. Senate the year after I was born and staying there until 1980. His achievements included sponsoring the legislation that established the now controversial National Endowments for the Arts and the Humanities; the Employee Retirement Income Security Act (ERISA), which for the first time established standards to protect the private pensions of working people from bankruptcy; and the War Powers Act, requiring the president to consult with Congress before committing America to war. But the legislative battle I remember most clearly was passage of the 1964 Civil Rights Act. When my father returned from the vote on that historic bill, he lifted me and threw me up into the air.

Throughout my life, I turned to my father to illuminate the reasons for our country's political decisions. Despite our differences of opinion, I could always rely for insight on his balance, thoughtfulness and genuine love of debate. I have recently felt his absence not only because of this March anniversary, but also because I am so curious about what he'd think of his party, which has taken control of Congress for the first time since the 1950s. Because he is not here I've been reading his books, and I find myself amazed by how relevant they are to today's debate about the role of government.

In 1964, following the defeat of Barry Goldwater by Lyndon Johnson in the presidential election, my father wrote "Order of Battle: A Republican's Call to Reason," an attempt to redefine Republicanism. He maintained that the American people had rejected Goldwater on the basis of his stance that the federal government should shed its responsibility for America's poor and working people, and had opted instead for Johnson's War on Poverty. Personally, he withheld his support from Goldwater "as a matter of conscience. I could not support a ticket which proposed to reverse the policies of Arthur Vandenberg and Dwight D. Eisenhower in respect to foreign policy; the policies of Abraham Lincoln and Dwight D. Eisenhower in civil rights and the policies of Robert A. Taft in education and housing."

Even though the 1994 elections have pushed the pendulum in the opposite direction, my father's insights in 1964, still strike me as stunningly on target: "The main issue is this: Under modern conditions how can we strike the right balance between the need to decentralize the power of decision in matters affecting our individual preferences, and the need for a unity of direction in matters affecting all of us as members of the American state and society?"

While he was viewed as a liberal, I think my father saw himself more as a patriot and proponent of free markets, with a strong interest in how democracy could balance the just claims of a diverse populace. He suggested that instead of dividing ourselves into camps of liberalism and conservatism, we focus on concrete proposals, testing them in light of three questions: "Will the specific terms of the proposal enlarge the area of freedom and opportunity for the individual while serving the common good? Given the

aim of the proposal, is it beyond the reach of private resources, and therefore, must it be made a government matter? If a government matter, is it beyond the reach of local and state resources, and must it, therefore, be entrusted to the central government?"

My father's Republicanism found its roots in Alexander Hamilton, Abraham Lincoln and Theodore Roosevelt, and combined a strong belief in free enterprise with firm convictions about the role of federalism and government activism. His politics were also informed by his personal history—growing up poor on New York's Lower East Side. One of his favorite stories was about a boxing match in which he was knocked to the ground. The lesson he drew from it? Always get back up swinging.

Buried deep in his book I found several pages dedicated to his activism in the development of housing programs. While he favored programs that strongly encouraged private-sector, federal and local cooperation, he stated, "... to get done what the people needed done by government was good, orthodox Republicanism—if the private sector could not do it alone," and that "federal activity in housing should be expanded in those directions where it has a proven record and should strike out in new directions with imaginative programs that show promise."

Those pages spoke directly to me. My father died before I took my current job with an organization that helps non-profit, non-governmental agencies provide housing, combined with health and social services, to homeless people with disabilities. I can't help but think that my father who worked so hard to eliminate poverty, would have been a leader in efforts to end homelessness, which exploded in the years after his death. I imagine that he might have especially advocated the public/private partnership that drives the successful development of supportive housing. It remains to be seen whether his congressional successors will feel as he did, that federal support of effective, cost-efficient and humane housing for our most vulnerable citizens is "good, orthodox Republicanism."

One afternoon toward the end of my father's life, when he was already ill, I was talking to him and crying over how much I would miss him when he was gone. He said, a: "You will not miss me, you will remember me." On the second point he was right.

Mrs. KASSEBAUM. Madam President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. GRAMM. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas.

#### EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCIS-SIONS ACT

The Senate continued with the consideration of the bill.

Mr. GRAMM. Madam President, I ask unanimous consent to add my name as a cosponsor of the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMM. Madam President, I know we are going to debate this issue tomorrow, but I wanted to come down and make a very short statement on it tonight.

I believe that the President, through Executive order, is trying to accomplish something that he has been unable to accomplish through Congress and the legislative process. I think it is very important that we not allow the President to use an Executive order to limit the freedom of our people.

The issue of whether or not an employer can hire someone to replace a worker who refuses to work is not a matter of labor rights. It is a matter of freedom. If I do not want to work for you, I have the right to quit or to strike, but I do not have the right to prevent someone else from working for you. I think this is a very important issue.

I wish to commend the Senator from Kansas for providing leadership on this issue. I think it is very important that we pass this amendment, and I intend to vigorously support it.

Mrs. KASSEBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mrs. KASSEBAUM. Madam President, I appreciate the Senator's statement. I, too, think it is a very important issue.

I ask unanimous consent that the following Senators be listed as original cosponsors: Senators DOLE, WARNER, HATCH, THURMOND, GRAMM, and GREGG.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. KASSEBAUM. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Madam President, I want to congratulate my colleague, Senator KASSEBAUM. I am pleased to be a cosponsor of her amendment.

I believe that President Clinton started the 1996 reelection campaign when he signed the Executive order sent special delivery to his friends in organized labor.

The President may say his directive is designed to foster fairness in the Federal workplace. Its real purpose, of course, is to help shore up a political base the President currently believes is critical to his own political future.

The issue here is simple:

Just as an employer's demands are moderated by the knowledge that his employees are legally entitled to strike, so too are the demands of workers moderated by the knowledge that a strike over wages and other economic conditions may result in the hiring of permanent replacements.

This uncertainty is an essential element of collective bargaining. It forces both labor and management to negotiate in good faith and resolve their differences through compromise.

With today's power grab, the President has upset the careful balance that has been the hallmark of our system of collective bargaining for more than 60 years.

The President has also set a dangerous precedent forgetting that it is the responsibility of Congress, not the administration, to write the laws governing labor-management relations in this country.

Unfortunately, the President has chosen to do an end run around Congress. Congress has repeatedly rejected the so-called striker replacement bill. The President is making a big, big mistake if he believes he can revive the defeated legislation by issuing an Executive order. The President may enjoy thumbing his nose at Congress but his enjoyment will be short-lived at best.

I certainly urge my colleagues to support the amendment offered by my colleague from Kansas, Senator KASSEBAUM. It is Congress who should set labor policy in the United States, not the President.

#### MORNING BUSINESS

Mr. DOLE. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business with Senators permitted to speak for not to exceed 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO JOHN WHITE

Mr. DOLE. Madam President, this past January, America lost a patriot, and many in the Senate lost a friend with the passing of John White.

Several Members of Congress joined me attending memorial services for John on January 31, here in Washington, DC.

It was a very moving ceremony, filled with stories of John's life in and out of politics.

White House Counselor Mack McLarty obtained a transcript of the services, and I believe that all those who knew John will enjoy the memories it provides, and those who did not know John will learn more about a remarkable public servant.

Mr. President, I ask unanimous consent that the transcript be printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SERVICES FOR JOHN C. WHITE, TUESDAY, JANUARY 31, 1995, FIRST BAPTIST CHURCH OF THE CITY OF WASHINGTON, DC

Reverend Dr. Gladstone. We welcome you to this memorial service for Mr. John C. White, and I welcome you on behalf of this Church, of which they were members, and on behalf of Mrs. White, his dear wife, and the members of the family.

Let us worship God. God is our refuge and strength, a very present help in trouble. Though the earth change and the mountains be removed, God will be with us and will not leave us. Jesus said, "I am the resurrection

and the life. He who believes in Me, though he dies yet shall he live, and whoever lives and believes in Me shall never die."

Let us pray. Great and marvelous are Your works, Lord God almighty, just and true are Your ways, oh King of Saints. Who shall not fear You, oh Lord, and glorify Your Name for You only are holy, wherefore with your whole church both in Heaven and on Earth. We worship and adore You, Father, Son, and Holy Spirit. Ever one God, world without end. Oh Lord, Jesus Christ, we do not ask for Your presence with us in this service of remembrance, and gratitude and love. For you have promised that where two or three are gathered together in Your name, there You are in the midst. But we do ask You that You would help us to recognize Your presence. Open our eyes that we may know You. Melt our coldness so that we may love You. Loosen our tongues that we may praise You. Take our wills that we may commit them afresh to Your service. And may go through this journey of life without fear and in great confidence. And this we pray for Your love's sake. You taught us when we pray to say together. Our Father, who art in Heaven, hallowed be Thy name. Thy Kingdom come, Thy will be done on Earth as it is in Heaven. Give us this day our daily bread and forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the Power, and the Glory for ever and ever. Amen.

I want us now to listen to the Word of God as it comes to us in the Scripture and in writings based on the Scripture. We pray that this word may be a source of comfort and inspiration as we face the future.

We begin with a writing from the book of Ecclesiastics. Let us now sing the praises of famous men, the heroes of our nation's history through whom the Lord established His renown and revealed His majesty in each succeeding age. Some held sway over kingdoms and made themselves a name by their exploits. Others were sage counselors who spoke out with prophetic power. Some led the people by their councils and by their knowledge of the nation's law. Out of their fund of wisdom they gave instruction. Some were composers of music or writers of poetry. Others were endowed with wealth and strength, living peacefully in their homes. All these won fame in their own generation and were the pride of their times. Some there are who had left their names behind them, to be commemorated in story. There are others who are unremembered. They are dead, and it is as though they had never existed, as though they had never been born or left children to succeed them. Not so our forefathers. They were men of loyalty whose good deeds had never been forgotten. Their prosperity is handed onto their descendants and their inheritance to future generations. Thanks to them their children are within the covenant. The whole race of their descendants. Their line will endure for all time and their fame will never be blotted out. Their bodies are buried in peace, but their name lives forever. Nations will recount their wisdom, and God's people will sing their praises.

Psalms number 23: The Lord is my shepherd. I shall not want. He makes me lie down in green pastures. He leads me beside still waters. He restores my soul. He leads me in paths of righteousness for His name's sake. Even though I walk through the Valley of the Shadow of Death, I fear no evil, for Thou art with me. Thy rod and Thy staff they comfort me. Thou prepares a table for me in the presence of my enemies. Thou anoints my head with oil, my cup overflows. Surely goodness and mercy shall follow me all the days of my life. And I will dwell in the house of the Lord for ever.

John. Chapter XIV. The Words of our Lord Jesus Christ. Let not your hearts be troubled. Believe in God, believe also in Me. In my Father's house there are many rooms. If it were not so, would I have told you that I go to prepare a place for you? And when I go to prepare a place for you, I will come again and will take you to Myself, that where I am, you may be also. "And you know the way where I'm going," Thomas said to Him, "Lord, we do not know where You are going. How can we know the way?" Jesus said to him, "I am the Way, and the Truth, and the Life.

And finally, I want to read a passage from a book, which to so many people is next to The Bible, John Bunyon's "Pilgrims Progress." And I think that you'll agree that, as you listen to it, it describes this good man, this servant of this nation whom we remember today. It is the passing of Mr. Valiant for truth. After this it was known abroad that Mr. Valiant for truth was taken with a summons by the same post as the other and had this for a token that the summons was true. That his pitcher was broken at the fountain. When he understood it, he called for his friends and told them of it. Then said he, "I am going to my father's. And though with great difficulty I got hither yet how I do not repent me of all the trouble I have been at to arrive where I am. My sword I give to him that shall succeed me in my pilgrimage. And courage and skill to him that can get it. My marks and scars I carry with me to be a witness for me that I have fought his battles who now will be my rewarder. When the day that he must go hence must come, many accompanied him to the riverside into which as he went into he said, "Death, where is thy sting?" And as he went down deeper, he said, "Grave, where is thy victory?" So he passed over, and all the trumpets sounded for him on the other side. Thanks be to God.

Thomas F. (Mack) McLarty III. As a young state legislator well over twenty five years ago now, I had my first occasion to meet John White when a group of us from a neighboring state to that rather large state to our west traveled to Austin, Texas. I was struck with Commissioner White's understanding of his job, the depth of his thinking, the commitment to public service. But as a young legislator at 23 I was even more struck by his thoughtfulness, his ability. Despite great pride and love for his state, he didn't brag on it too much in our presence, and even said a few nice things about Arkansas. We stayed in touch and some years later serving under another distinguished chairman, Bob Strauss, I had the occasion to spend considerable time with Commissioner White. I benefited again from his wisdom and his counsel, but continued to be influenced by his thoughtfulness, his ability and his example.

When Donna and I moved to Washington, just over two years now, no one was more gracious than Nellie and John White to us. I continued to be influenced by his example and his thoughtfulness. As has been written, politics and party are both poorer for his passing. Commissioner, Secretary, Chairman John White leaves a rich legacy and an enduring example.

Another young man from Arkansas met Commissioner White about two or three years after I had. He also was struck by those qualities and characteristics that I noted, but was in a little bit more of a hectic time in a national campaign working with Bob Armstrong for Senator George McGovern. He, too, stayed in close touch with John White over the years and was influenced by his wisdom, his counsel, by his ability, and by his example. He writes to the family and friends of John C. White:

"A patriot, a wise counselor, a truly honorable man, John White consistently displayed the best of the American spirit. His decency, determination, and humor are models for all of us who are working to move our nation forward and to improve our people's lives. I was lucky to know John and benefit from his advice for many years and I will miss him. His life's work is an inspiration to all of us in public life and we will always be grateful for his extraordinary efforts to help make our government and our country better. His legacy of leadership and compassion will serve as a guiding force for generations to come. Hillary and I extend our deepest sympathy to you. You are in our thoughts and in our prayers." Signed, Bill Clinton.

John White leaves a rich legacy and an enduring example.

Honorable Robert Strauss. Most of you, friends of John White's, are also friends of mine and well aware of the fact that I enjoy speaking, but this is one time remarks don't come very easy. I suspect that John knows we're here. I suspect he's looking on, and I further suspect that, if he could communicate, he would say, "Strauss, would you ever have believed that a distinguished group like this would gather in a memorial service for me?" And in keeping with our typical conversation I suspect that I would reply, "No, White, you know I carried you a long way for no more talent than you have." And that would be in keeping with most of our conversations. So much has been written and so much has been said about John in such a good taste, so marvelously done that I certainly don't want to try to say much for fear of being too repetitive. But John would have loved to know that you were all here. He had tremendous personal pride and, like all of us, vain. He had his share of vanity. Not too much, just about right. And he would be very pleased if he were here today. John and I, as most of you know, had lunch a couple of times a week. Had lunch at Duke Zeibert's, who I see here today. I used to say to White every now and then, "You know this food at Duke's is gonna kill you, John." And sure enough, it did.

John White was an old fashioned fellow with old fashioned values, and we liked to talk about them. He had values that don't show up too often in the political marketplace, particularly here in this community. But he never varied from them, and no matter what his troubles were, he was never self-indulgent, and he never felt sorry for himself. He enjoyed living every day. He had pride in himself. He had tremendous pride in Nellie and all the rest of his family.

I remember planning the 1976 Convention. John called me from Austin and said, "Strauss, Nellie wants to be on the platform committee." And said, "Can you put her on there?" And he said, "You said you know you have a vote there." And I said, "Well, that's what I'm looking for." All of you remember the Democratic Party in the 1970's. You needed votes if you were trying to get anywhere, and so we put Nellie on the platform committee, and I'll never forget the platform committee had deliberated quite a few days, maybe a few weeks, and I called White or I saw him in town, I don't remember which, and I said, "Damn, White, that Nellie's tough." He said, "What do you mean?" I said, "Well, she wants to prove every day that I don't own her and you don't own her." And he told me of the guaranteed vote I had; "Well, she's never voted against you, has she?" I said, "No, but why she makes me work for every one of them so hard?"

Well, and so it is that we are here today. It was just a couple of months ago that Vera Marie who is also here today called John and said, "John, we're having a birthday party

for Bob. It's his birthday, last October 19, and I hope you can make it." He said, "Well, I have a date, but I'll break it. I'll break it." And then he said, "You know, Vera, we may not get to go to many more of these." I know John was thinking that he would be here and I wouldn't and it worked the other way.

Last Friday we were in Austin for John's funeral service, and it was a lovely service, and a mob of people were there, and they had such a pride in John and in his life, and the Reverend Jesse Jackson spoke. And he spoke eloquently, and beautifully, and tastefully, and the crowd was moved by every word he said. And as he finished, he did something that startled me, something that I had never seen done before. But I enjoyed that. I enjoyed it. And I know Nellie did, so I'll do it what the Reverend Jackson did. I'll ask each of you: Join me in a round of applause for John White. He earned it. Thank you.

Senator Robert Dole. Nellie and members of the family. When Tip O'Neill looked back at his political career, he said one of the best pieces of advice he ever received was from the legendary Boston mayor, James Curley. Curley once told him, he said, "Son, it's nice to be important. But remember, it's more important to be nice." And I suppose that anyone looking to life of John C. White, he would say that he was important. And the news stories about John's passing listed the official and unofficial positions in which he served during a very remarkable career. But I believe the lasting legacy of John White is he knew that important titles and spacious offices are only temporary. He knew, as Mayor Curley said when it's said and done, it's more important to be nice. And I think during each and every day of John's sixteen years in this city, he proved that Harry Truman was wrong when he said, "if you want a friend in Washington, buy a dog." And I am just one of the countless men and women who learned over the years—as a Republican I might say—"Just needed a friend? Call John White."

I remember my first meeting with John White. It was in 1977. Senate Agriculture Committee. Senator McGovern was there. It was a rather raucous hearing—we used to have those in the Senate. But I was very impressed with Commissioner White, who was about to become Deputy Secretary of Agriculture, and I remember seconding his nomination, which I think surprised him and surprised maybe some of my colleagues, because it didn't take me long to learn that, realize that America would be well served with John's decency, and honesty, and integrity, and above all, just a lot of good common sense. A few days after John passed away I saw a survey that said, "one of the things that makes Americans most angry is people in positions of power who say one thing and do another." And I thought that probably John would agree with that statement, for in his life he was a man of his word, regardless of politics. He was a man of his word. And if you read Washington's Sunday Post, an excellent piece by Mark Shields, in which he wrote, "John White didn't bob or weave or hedge or trim. If he was with you, you always knew it." And when it came to politics, John didn't bob or weave. He was a Democrat through and through. But he always knew that being a partisan was far less important than being a patriot. And no doubt about it, John was a patriot. He loved Texas. He loved America. He loved his family. And few served them better.

At the beginning of his first inaugural address in 1953, my political hero, Dwight Eisenhower, led America in prayer. And while the words may be Ike's, the sentiments expressed are also undeniably those of John White, and I quote, "May cooperation be the mutual aim of those who, under the concepts

of our Constitution, hold a different political face. So it all may work for the good of our beloved country and Thy Glory. Amen." End of quote. Thank you.

Honorable Bob Armstrong. When I talked to Nellie, she said, "I'd like to have somebody up there that just knew him as a friend." And John C. and I were friends. Over a long period of time, we were thrown together because we did politics together. We were thrown together because we liked to do a lot of the same things. We had an office arrangement where he happened to be above my office in a building and we could see each other every day and I really loved this man. You know, he came from an interesting part of Texas. It was a part where rain was important, and people's lives and their fortunes were governed in the old days by how much it rained. It was a strip of Texas that produced products like Sam Rayburn, and Lyndon Johnson, and John Nance Garner, and Ann Richards, and Bob Strauss, and Webb, and Bedacek and Dobie, and John C. White.

And as John C. said in one of these quotes in the program, he couldn't wait to get out. But it still had a profound effect on him and the kind of person that he was. He always had fun. One of the poems that he liked, kind of harked back to his upbringing. It was by Carlos Ashley, who when they moved the inauguration into the House chamber, because it had started a cloud burst, stood there and looked out and wrote, "Oh the glamour and the clamor that attend affairs of state seem to fascinate the rabble and to some folks seem just great. But when the final scale is balanced in the field of loss and gain there's not one inauguration's worth a good, slow, two-inch rain." And those were John's sentiments about pomp and circumstance and what real values were. He always had fun, his advice was always sound, and he was always an unflinching and an unequivocal friend. First example of advice he gave to me: I was two years elected in a state which was pretty topsy-turvy and he'd been there for eight or ten years and George McGovern became our nominee, not the most popular person to be a nominee for the Democratic Party in Texas.

I went to John's house one afternoon and, as was always the case there was the New York Times and The Washington Post on the coffee table, because he loved to find out and know what was going on, and he said, "Armstrong, they need us. We really need to help them." I said, "Well, it's probably gonna be political suicide, but if you say that's what we need to do, John, let's do it." And so he and I started on that endeavor. Never always pleasant. Not with much chance. Again as Mark Shields pointed out, but you knew it had to be done, and he told you, "let's do it," and so we did. His advice turned out to be pretty good. I never had an opponent for the next ten years. But you couldn't have convinced me of that when I started that out with him that day. And he also told me that it didn't make much difference whether it was popular or not as long as it was the right thing to do.

You know, Nellie said, "I want you to tell them the story about the limo because you always had a good time." And I said, "Nellie, in church?" And she said, "Yeah, in church." But I'm going to get to that in a minute. I think that most of what we did that was fun had to do with campaigning, but the times that I remember the most were the things that we just did together. We'd leave the office and go over to Memorial Stadium and we would run, because we thought that was good for us. And frequently there would be coeds on that running track, and some of them just lying out there in the sun. And John White developed what he called "the slow run."



And he was still running, but it was awful slow when we went by and watched them.

Bruce Babbitt told me the other day that he thought that I was the product of a misspent adulthood. And I want to tell you that John White was a major contributor to that condition. I remember after he'd been there for about fifteen years, he said, "You know, I've got this office where I can just do it with my eyes closed." And he said, "One thing I started doing there for a little while was I'd get to the office about 7:00 or 7:30," (and he was just the proper amount of devious about this), "and at 10:00 o'clock I was on the golf course, I was back at 4:00 and I would stay and make calls until about 7:00 at night, and people would think I was the hardest working public employee they'd ever seen; in at 7:30 and out at 7:00." And he always enjoyed those kinds of times when we would get out. When he got up here and I'd come to see him he introduced me to golf at Congressional in the leaves, in the fall. And we never did have partners. We'd just ride together and he talked to me about his dad and I talked to him about mine and how we hated them, because they made us do chores and made us be disciplined when we didn't want to be. But they also taught us what was right and what was wrong, and they also got real smart, our dads did, when we went away to college. And when we came back they were a lot smarter than they were when we went. But I guess the things that I remember the most was that he always bragged on Nellie, and he always said, "You know, it's just amazing to me how Linda and Nellie put up with us." And that they do. And he always talked about his kids, and he talked about how wonderful they were. If I had one wish right now, I wish that you could have heard what his children had to say about him in Austin, because John R. and Ed were just absolutely perfect; (that) was the term I used about their dad and their relationship.

Well, I'll tell you about the limo. We weren't used to riding in them, but we were in Houston and we went down to some kind of a meeting and on our way back on the road. It was very hot in Houston, as it can be, and we were riding along there, kind of embarrassed that we were in a limo, and it was air-conditioned, and there came along a '57 Chevrolet with about five to six kids in it, and they pulled up alongside and looked over there at these guys riding in that air-conditioned limo, and they gave what I would call the "Texas hot weather hand signal," that people give to people in a limo. And John was sort of appalled by this and I said, "Just think about it as them giving us a hand, one finger at a time." And he always liked that and used that. Sometimes, good things come out of bad ones.

I guess he understood about money and how important it was in politics, and his favorite story was about the time that Speaker Rayburn woke up one day and found out that the money from cotton had not come to Washington, and Roosevelt was in his fourth election. He had a new guy named Harry Truman replacing John Nance Garner and the cotton money hadn't gotten in, but, as they did in those days, they sent a fellow up with a satchel with the money in cash, and he got to Union Station and the money was burning a hole in his pocket, and he didn't know what to do, but what he did was he went over and said, "Where's the Democratic headquarters?" And they said, "It is over right next to the Senate." And sure enough, there was a small headquarters over there that they had set up for Senator Truman, because he could just go there and kind of do what he needed to do and nobody ever came to it. And so, Mr. Jackson, who had the money, walked in and he said, "Here's the cotton money." And Harry Truman looked

at it and it was a lot of money, and nobody had ever done that. And he got back on the train. He went back to Austin. They said, "What did you do with the money?" He said, "I gave it to the headquarters." They said, "Which one?" He said, "Harry Truman's." They said, "You, fool. That's not the right headquarters. You gave it to the wrong person." One year later, Mr. Jackson had his own desk in the White House, in the Truman White House, where he could do all the business that he wanted to do. And John White thought that was simple justice, and he loved to tell that story.

He gave me one other piece of advice. He said, "You really ought to come up here." He said, "You'll love it," and, "They need you." The last thing was superfluous. He always had that ability to flatter you, just a little bit. They didn't need me, but he'd say "They need you." But you could always kind of believe in it if John C. told you that. But he loved this city, and he loved the people, and he loved the power, and he loved the system. But he didn't love the power as an end in itself. He loved the fact that people could use that power for good if they were the right kind of office holders and if they used it wisely.

I used to ask him when he was going back. And he wouldn't ever answer me directly. He just kind of looked off in the distance maybe and say that he really had a lot of friends here in Washington. And in a way, that was an answer. And so, I had a great time knowing him. I always said that a conversation with John White was like a drink of cold water from a hill country spring on a hot day. He was always refreshing and he was always sustaining.

Let us pray. John C. is with You now, God. Thanks from all of us for letting us have him for a while. Amend.

Mr. Jack Nelson. Bob Strauss said that, uh, John White would have loved to have seen you all here today and I know he would have looking out over this crowd. You know what John White would've really loved? He would've loved the Reverend Jesse Jackson preaching his funeral in the rotunda of the Texas State capital and Bob Dole eulogizing him at a memorial at the First Baptist Church here. He would have really loved that.

Most of you were not at John's funeral, but as one of many of his reporter friends, I want to report just briefly on what a moving and extraordinarily unusual funeral service it was. It was a sad—but I must say a magic—moment. Jesse Jackson, in a flowing, white robe, conducted the service in a packed rotunda. The first funeral service ever held there.

The Texas Democratic establishment turned out in force: Ann Richards, Jim Wright, Bob Strauss, Lloyd Bentsen, and many others—and they came from all over Texas and from all over the country. His family and friends spoke movingly of John as father, grandfather, business associate, politician and friend, and in his eulogy, Jesse Jackson made a point that's central of John's life: He was one of the few white men who had the courage to take the political risk to bring equal justice to Texas and the South. "Look around you," said Jackson, "Look around you at the black and the brown faces among all the white faces. Thirty years ago you wouldn't have seen that, and you can see it now because of John C. White." And then Jesse did what Bob Strauss said startled him, and then I must say sort of surprised me. He said, "Everyone should express themselves," and calls for the applause and it rang out throughout the capital. And I gotta tell you, it made us all feel a lot better. Jesse said, "When we go to the state cemetery for the burial you'll see '1924 dash

1995' on John's tombstone." He said, "Well the year he was born, 1924, means nothing. We don't have anything to do with when we are born and come into this world. And 1995 doesn't mean anything either. We don't have anything to do with when we leave. It's the dash that counts." And Jesse touched on a long and impressive list of what John did with that dash.

You know, John told me more than once—and like Robert Strauss, I went out to lunch frequently with John White; maybe not twice a week, but an awful lot of times. John told me more than once, "God, I love this town, but I wish it hadn't gotten so mean." And I thought that said a lot about John. He did love Washington, and he did love the political game, and he played a key role in it. But Washington never changed him. He was never mean, and he despised the kind of personal attacks aimed at destroying political careers that has become so commonplace here. He always said the way he saw Washington was that it wasn't so much made up of Democrats and Republicans as it was of real people and jackasses. John had a lot of friends on both sides. Real people, of course.

He did have an extraordinary relationship with the press. And I thought it was appropriate that you got two reporters here among the political figures who are eulogizing him. He was a source for many reporters, and some of them are in the audience here. For me it was like having another reporter in the bureau. I could call him up and say, "John, have you heard so and so?," and he then might, say, either, "Give me some information," or he'd say, "Well, I don't know a lot about that, but let me make a few calls." Reporters saw him as much more than a news source. He was our friend. In most cases, he was a close friend, and certainly in my case, he was first and foremost.

Men sometimes have a hard time sharing their innermost thoughts and feelings, but I could do that with John. He could do that with me. And when John asked, "How you doing?," it wasn't a routine greeting. He really wanted to know how you were doing. He was concerned if you had a problem. He always wanted to know if he could help. He was reassuring, too. He would tell you that he had similar problems. "Not to worry, things will work out alright." He used to say that people he liked most were those who would stand by their friends and their commitments and who never forgot where they came from. John certainly never forgot where he came from. He took pride in his humble beginnings and he stood by his friends through thick and thin, even when that caused him more than a little trouble. When a Republican friend most of us knows was hit by a criminal charge, John concluded that the criminal charge was unfair, and he not only stood by his friend, but he helped raise funds for his defense. And he made a point of being seen at lunch with him at popular Washington restaurants such as Duke's. Later, of course, the friend was exonerated. John didn't tear down people. He built them up. He was proud of his friends and his family. He talked with pride of Nellie and her work in Romania. He was proud of his children and grandchildren, and he often talked of them.

Nellie has asked me to share with John's friends the letter she received, a personal letter. It says, "I'm glad we had a chance to talk. I'll never forget the first time I met John back in 1972. He had such a great balance of common sense and compassion with an energy, and I was elated when he became the DNC chair, and I am grateful for all he has given to our party and our country since. All of us who know John are better for the experience and all of us will miss him. I know you will miss him most of all, and I



hope the memory of your great years together and the love and support of your friends will help to sustain you. Hillary and I send you our thoughts and prayers. Sincerely, Bill"

You know, it's hard to avoid all the clichés when remembering John, because in his case they're all so true. His word was his bond. He would give you the shirt off his back. He did light up a room when he walked in. And I'm proud to call him a friend. He's a friend we'll all miss, but we'll remember, I think, with deep affection.

Mr. Jim Wooten. Here's a good rule for reporters: Don't be pals with pols. It doesn't mean that you can't enjoy their company, once in a while. It doesn't mean you can't have lunch with them, once in a while. It doesn't mean you can't like them, once in a while. It just means there needs to be some proper distance in space between us and them. Between those of us who cover the news and those who make it. Because the closer you get, the less you see. So if you want to see clearly, don't get too close. Don't be pals with pols. This is a very good rule for all reporters.

Sometimes, though, he was a pol, wasn't he? You could tell that, because of the pure pleasure he derived from telling the political story. And not only that, from listening to them. To yours. To Strauss's (now there's a real test). And to mine, too. I don't think I ever told my political stories to better listeners than John C. Even if he knew they weren't exactly true (and what political story ever is). Even if he heard them before, he'd sit there and listen and help you along, and encourage you, and chuckle you, and then give a big rip of a laugh, and then he'd say, "I knew some old boys like that." And off he'd ride on some wonderful jaunt down the trails of his remarkable life. For John C., a good story was like a pair of boots: the more you worn them, the more comfortable they were. I loved his story about how much he grew in the eyes of Lyndon once he'd introduced him to Nellie. I loved listening to him. His voice for me was like the distant bell of a country church, always reminding me of home. And he said once, "Well, pal, they have fewer voters in Alabama, but I expect we come out about even on mules and fools."

He was a pol, wasn't he? You could tell that because he made it look so easy. Whether he was managing an unmanageable national convention or untangling some devilish knot in the party, or settling some bloody internecine squabble or just working the tables at Duke's—he made it look easy. And politics never is. Not in this town, and not in Texas. And especially not for a man who felt about his party the way most men feel about their mothers. It was where he came from, and who he was. He was his party's son, and he would, by God, wear its name as proudly as he wore his own. White, John C., Democrat, Yellow-Dog. And in five separate decades, in the stormy politics of Texas and America, those were John C.'s unimpeachable credentials. When governor Shivers defected to Ike, John C. backed Adlai. When the preacher said, "Catholics oughtn't be president," John C. was a Kennedy man. When herds of Texas democrats stampeded over to Goldwater and Nixon, John C. stood straight up for L.B.J. and Humphrey. "Hubert Umphrey" as he called him—and McGovern, too. Over the years in campaign after campaign, from Carter through Clinton, through the sunshine and the rain, he rode that same old horse. And he was as tall in the saddle when he finally got off as when he first got on.

This is important to remember about John C. Not that he was blind to his party's warts or deaf to its bologna, but rather that he

loved it for its promise. Not that he was indifferent to its foolishness or insensitive to its folly, but rather that he was committed to its possibilities.

John C. was the most hard-headed, down-to-earth, practical, realistic, commonsense dreamer I ever knew. That was his strength and the source of his stamina. This fierce embrace of an imperfect party as the perfect political expression of the ideas and ideals that he cherished. Others might stray or waffle or wander or waiver; John C. always danced with the girl who brung him. He was a pol wasn't he? You can see that in the respect that other pols had for him; even if he wouldn't give a dime to their party. You can see that here today, look around. And you can hear it too, in the unspoken affirmations of everybody who ever knew him or worked with him or worked against him, that here was one politician who gave politics a good name.

Years ago over lunch at Duke's, he was scolding me for my appearance; "Listen pal," he said, "you ain't a newspaper man no more—you've got to get yourself some clothes. You need more than one suit and tie. Hell, I'll loan you the money!" And that progressed into us listing the real friends we had, the genuine pals, people who might even lend us money, folks in whom we could place our complete trust. John C. had too many to count, he said, which was true, look around, and I had too few to mention and now one less. He was a pol and he was a pal.

We argued about a lot of things over the years, but there was one thing we agreed on and that was that we were both literary critics. And that we had found and read and reread the great American novel. A rough and tumble saga about two Texas rangers who went off up to Montana, far far away from Lonesome Dove. How he loved that book, how I did too and we'd recite from it over lunch. Especially, its last few pages: "mortally wounded and down to his last, few breaths, Augustus McCray looked up at his long time pal and partner Captain Caw and he whispered, 'My God, Woodrow, it was quite a party.'" My God, chairman, it was quite a party.

Reverend Dr. Gladstone. We have listened with gratitude, with admiration, and with hope. Charles Haddon Spurgeon, the Victorian Baptist preacher said of William Ewart Gladstone, four times Prime Minister of Britain, he said, "We believe in no man's infallibility, but it is restful to believe in one man's integrity. Let us pray. Eternal God before who's face the generations rise and fall. Beneath who's will and within who's patience the story of our lives is told. In this memorial service, for your servant John, we lift up our hearts in gratitude, we thank you for his character. We know that this is the true wealth of life. We may be festooned with the whole haberdashery of success and yet go to our graves castaways. We thank you that we heard Senator Dole say that while it is nice to be important, it is more important to be nice. And so we thank you for the decency, the integrity, and the loyalty of your servant John. We thank you his commitment to the political affairs of this nation. We thank you for all those who are ready to walk the lonely places of leadership, to become vulnerable to criticism, abuse, misrepresentation and public failure and yet who believes they are called to do this for love of country and party. For his commitment to his president, his party, and to the whole nation we give you thanks. And we thank you for his enjoyment of his family. For his dear wife, Nellie, for his children, whom he admired so much, for his sister and for his grandchildren. We remember them all now tenderly and commit them to your loving care. And we pray that as they sigh for

the touch of a vanished hand and the sound of a voice that is still, they may know your living presence. And we thank you for our Lord Jesus Christ who has defeated death and brought life and immortality to light. We thank you that we can say he is not here but he is risen again until we meet in your presence. So bless each one of us here members of the family friends and colleagues and keep us at it and with it and for it until our work is done our course is run and on your kind arms we fall. And this we pray through Jesus Christ our Lord. Amen.

Will the congregation stand for the blessing and the benediction and remain standing while the family and speakers leave.

Go forth on your journey, Christian soul. Go in the strengths of God and may He bring you at last to the land of Promise, the Country of the Great King. The grace of our Lord Jesus Christ and the love of God and the fellowship of the Holy Spirit be with us all ever more. Amen.

#### NATIONAL AND COMMUNITY SERVICE ACT

Mr. PELL. Mr. President, one of the more exciting and innovative programs enacted during the 103d Congress was the National and Community Service Act proposed by President Clinton. Under the AmeriCorps program established as a result of that act, young men and women are now able, through community service, to earn an education benefit to help defray the costs of a higher education.

I am concerned, however, that this program may now be the target of severe cutbacks. Because of this, I wanted to bring to my colleagues' attention the correspondence I recently received from Mr. George Graboys of Barrington, RI, where he is a distinguished and widely respected business leader. Having retired as the chief executive officer of Citizens Bank, Mr. Graboys, nevertheless, remains very active in civic affairs. Among many activities, he serves presently as the vice chairman of the Rhode Island Children's Crusade for Higher Education.

Mr. Graboys' view on the operation of AmeriCorps in Rhode Island merit careful and thoughtful consideration. I ask unanimous consent, therefore, that the text of his January 31, 1995, letter to me be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BARRINGTON, RI, January 31, 1995.

Hon. CLAIBORNE DEB. PELL,  
Washington, DC.

DEAR SENATOR PELL: I am writing to express my strong support for the AmeriCorps national service program and to enlist your assistance in light of the recent call by House Speaker Newt Gingrich to eliminate the program.

From my perspective, AmeriCorps is a refreshing new government initiative. I am impressed, particularly, by its grassroots nature and its ability to place 20,000 dedicated individuals directly into community agencies in its first year of operation.

As Vice Chairman of the Rhode Island Children's Crusade for Higher Education, I have had the opportunity to see the merits of the program first hand. The Crusade's 51 AmeriCorps participants—13 full-time and 38

part-time—have provided an infusion of new energy to the organization. In less than two months, they have built relationships with over 40 schools and community agencies and have created 23 new Crusade mentoring programs in the seven Rhode Island communities with the greatest numbers of low-income children. At the same time, they have been busy phoning parents whose children may need services and going door to door to recruit new Crusaders. Presently, 324 children are being served through these AmeriCorps programs. Crusade Corps members are well on their way to reaching their goal of creating 26 programs that will serve 780 children.

Newt Gingrich has called the program “coerced voluntarism.” Based upon what I have seen, nothing could be further from the truth. Our AmeriCorps participants represent a racially diverse group of people from ages 16-55, including 10 parents of Crusaders. Within this diversity, all of them share an intense desire to serve the community and to better themselves in the process. AmeriCorps and the Crusade provide a structure and direction that meshes with their sense of altruism. The modest living stipends they receive make it possible for them to dedicate a full year to community service—rather than a few hours a week. This substantive volunteer experience is something that is likely to effect many participants’ choice of careers and to foster a commitment to community service that will endure as their careers advance.

Speaker Gingrich has also indicated that it is a “waste of money to give limited benefits to college students.” Again, I think he has missed the mark. The Crusade’s AmeriCorps participants cover a broad range of educational attainment. Approximately 30% do not have an undergraduate degree, 53% have earned or are in the process of earning a Bachelors degree, and 17% have or are working towards their Masters or Ph.D. Each of the Crusade’s participants has indicated, however, that they have a desire to further their education. For them, the educational benefits of AmeriCorps—\$4,725 for full-time participants and \$2,363 for part-time participants—will be of substantive help along the way. Moreover, the leadership and community building skills they are acquiring through their experience with AmeriCorps will complement their formal education and enable them to become more productive citizens.

I think the AmeriCorps program has produced remarkable results in a very short period of time. It has tremendous potential for strengthening the nation’s service ethic while impacting community needs in a cost of effective manner. I hope that I can count on your support in ensuring that the program nurtured and protected.

Sincerely,

GEORGE GRABOYS.

#### PEACE IN NORTHERN IRELAND

Mr. KENNEDY. Mr. President, as we approach St. Patrick’s Day 1995, Irish eyes are smiling as perhaps never before in the quarter century of violence that has wracked Northern Ireland. In celebrating the remarkable progress made toward peace during the past year, we are also mindful of the responsibility that all of us who care about Northern Ireland have to the people there who have suffered so much from the violence. We must do all we can to make certain that a lasting peace is achieved.

Last Monday, the New York Times carried an eloquent and very poignant article by James Clarity about Pauline Hegney, a Catholic mother in Belfast. Her husband, the father of her four children, was killed by Protestant paramilitaries more than 3 years ago. She is one of the countless survivors of the violence who, rather than harboring hatred, feverently hopes that no one else—Protestant or Catholic—will suffer her fate.

Clearly the people of Northern Ireland want the current cease-fire to continue and peace talks to begin. All of us share that hope as well.

Mrs. Hegney wrote an extremely moving account of the death of her husband, and Mr. Clarity quotes at length from her words in his article. I believe that his story and her words will be of interest to all of us, and I ask unanimous consent that the article by James Clarity may be printed in the RECORD. I also ask unanimous consent that a poem by W.H. Auden, which speaks to all such loss, may be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Mar. 6, 1995]

#### A WAR WIDOW’S THOUGHTS AT PEACE’S DOWNING

(By James F. Clarity)

BELFAST, NORTHERN IRELAND.—Pauline Hegney, the mother of four young children whose husband was slain three and a half years ago by Protestant paramilitaries on a Belfast street, prays every day that the Government peace effort will work and that there will be no more killings here in the name of patriotism.

She is among the tens of thousands of survivors of the 3,172 Protestants and Roman Catholics who have been killed in sectarian warfare here since 1969. She speaks with a soft Ulster lilt and there is passion in her voice, but no hatred.

Her husband, Karl, an unemployed house painter, was gunned down in the street on his way home from a pub. Both his widow and the police say he had no involvement in the Irish Republican Army. The police told her they had an idea who the killers were, but no proof, she said. No one has been arrested.

She was left with their four young children and a job at the Europa Hotel in the city center, as head of the banquet dining room staff. But the I.R.A. viewed the hotel as a major economic target and bombed it frequently. The bombings often shut it down, putting her out of work, sometimes for months.

The I.R.A. declares that it is fighting for Northern Ireland’s Catholics. Mrs. Hegney, who is Catholic, said she prays for them, and for the Protestant guerrillas too.

She told her children that “a sick man” had killed their father and that he was now in heaven with Granny, his mother. Her daughter, Julie-Anne, said that at first she hated Granny for taking him away and that she saw her father return to her room one night. She said she wanted to die and go to heaven with him. Lately Julie-Anne, who is now 8, says only, “I wish I could see him, mummy, for one wee minute.”

Mrs. Hegney joined a group of Catholic and Protestant widows of guerrilla war victims, and they exchange their feelings and problems.

But the cease-fires that have raised the hopes for peace and for a normal life for most people in Northern Ireland also left her and the other widows feeling depressed, she said.

“During the trouble, we were all in it together,” she said. “Everyone in Belfast was affected. But when the peace came, I felt isolated. Other people can get on with their lives. We can’t.”

Last October, as reports spread that the Protestant guerrillas, following the lead of the I.R.A., were going to call their own cease-fire, she hoped it would not be on Oct. 13, the third anniversary of her husband’s killing, but it was announced on that day.

“It didn’t feel right,” she said. “I was praying for peace, but I didn’t want it on that day.” Now, she said, she faces the prospect of seeing representatives of the guerrillas become celebrated personalities as they approach formal negotiations with the British and Irish Governments and the other political parties in the North.

“I don’t like the idea that after they’ve killed so many people, they’ll be sitting down to say what the future will be, when people like these destroyed my children’s future. But if it stops people being murdered, I’ve no objection.”

Her children still miss their father. Karl Jr., who is 14, wants to be a lawyer. She said she asked him if he would defend someone he knew to be guilty of a “terrible crime.” Karl said: “Would you serve him if he came into the Europa. You do what you’re paid to do.” She shrugged.

“I’ll get through it,” she said. “I’m a struggler. I’ve begun to write about it.”

In her account of the night her husband was killed, she wrote: “We never know what’s to come for us, though, do we? I put the boys to bed when their daddy went out. I went into the kitchen and had a little laugh to myself when I saw the saucepans sitting on the cooker. One was full of potatoes and the other one had sprouts in it all ready for the Sunday. He also had the roast cooked. I thought how organized my Karl is.”

“A very curt male voice came on the phone saying he was a police officer and asked if I could make my way to the police station as my husband was in hospital seriously ill. I lost my mind at that moment and I don’t think I have actually found it all again.”

“The nightmare for me had only just begun. I went to see Karl lying in that operating theater where he had died with the doctors fighting to save his life. He lay there still and cold, no life left in the body of the man who had taken the core of me, loved me and made my life worth living. I thought how could he leave me? What would I do without him? How was I going to live without him?”

“I held Karl’s hand and it was like holding the hand of a wax dummy. It felt so strange. I didn’t cry. I just asked him to give me strength to get through the next few hours. I went and sat at the top of the stairs waiting for the first of the children to waken. I knew this would be our 5-year-old daughter, Julie-Anne. She was wearing her little pink and green pajamas and she still had her hair in pigtails from the day before. She was just so beautiful.”

“What I was going to tell her was going to rob her of her little innocent childhood. She came over to me with her wee arms out and said, ‘Where’s my daddy?’ I sat her down on my knee and told her that her daddy had gone up to heaven to see his own mummy, her granny Nancy. ‘When’s he coming back?’ she said. I explained to her that some sick man had shot her daddy and that he had died and would not be coming back. She had to blame somebody, God love her, so she started crying and said she hated her granny.”

"I told our three little boys what had happened to their lovely daddy. None of them spoke. Karl and Michael began to cry. Mario just say there. I think he was in deep shock. I put my arms around all four of them and all but Mario cried sorely for what we had lost."

—  
FUNERAL BLUES  
(By W.H. Auden)

Stop all the clocks, cut off the telephone,  
Prevent the dog from barking with a juicy  
bone,  
Silence the pianos and with muffled drum,  
Bring out the coffin, let the mourners come.  
Let aeroplanes circle moaning overhead  
Scribbling on the sky the message He Is  
Dead,  
Put crepe bows round the white necks of the  
public doves,  
Let the traffic policemen wear black cotton  
gloves.  
He was my North, my South, my East and  
West,  
My working week and my Sunday rest,  
My noon, my midnight, my talk, my song;  
I thought that love would last for ever: I was  
wrong.  
The stars are not wanted now; put out every  
one,  
Pack up the moon and dismantle the sun,  
Pour away the ocean and sweep up the  
woods;  
For nothing now can ever come to any good.

—  
WAS CONGRESS IRRESPONSIBLE?  
THE VOTERS HAVE SAID YES!

Mr. HELMS. Mr. President, let us say it again: Anyone even remotely familiar with the U.S. Constitution knows that no President can spend a dime of the taxpayers' money that has not first been both authorized and appropriated by Congress.

So if you hear a politician or an editor or a commentator declare that "Reagan ran up the Federal debt" or that "Bush ran it up," just bear in mind that the Founding Fathers made it very clear that it is the constitutional duty of Congress to control Federal spending.

The fiscal irresponsibility of Congress has created a Federal debt which stood at \$4,851,012,058,348.35 as of the close of business Tuesday, March 7. Averaged out, every man, woman, and child in America owes a share of this massive debt, and that per capita share is \$18,414.53.

—  
TRIBUTE TO PRIVATE TRACIE JOY  
MCBRIDE

Mr. WELLSTONE. Mr. President, it is with great sadness that I speak today in remembrance of 19-year-old Army Pvt. Tracie Joy McBride of Centerville, MN, who reportedly was abducted nearly 3 weeks ago from Goodfellow Air Force Base in Texas and then murdered.

Private McBride joined the Army last April because she wanted to serve her country. She had just finished basic training in California and had only been on the base in Texas for about 2 weeks for advanced intelligence training at the time of her death.

Private McBride brought pride and dedication to her military service, and I want to take this occasion to recognize her honorable service to our country.

Mr. President, as Private McBride is being laid to rest today in Fort Snelling National Cemetery in Minnesota, my wife Sheila and I extend our deepest sympathy to Private McBride's family and friends.

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MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

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EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The nominations received today are printed at the end of the Senate proceedings.)

—  
REPORT OF THE FEDERAL COUNCIL  
ON THE AGING—MESSAGE  
FROM THE PRESIDENT—PM 28

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Labor and Human Resources.

*To the Congress of the United States:*

In accordance with section 204(f) of the Older Americans Act of 1965, as amended (42 U.S.C. 3015(f)), I transmit herewith the Annual Report for 1994 of the Federal Council on the Aging. The report reflects the Council's views in its role of examining programs serving older Americans.

WILLIAM J. CLINTON.  
THE WHITE HOUSE, March 8, 1995.

—  
REPORT OF THE TRADE POLICY  
AGENDA AND ANNUAL REPORT  
ON THE TRADE AGREEMENTS  
PROGRAM—MESSAGE FROM THE  
PRESIDENT—PM 29

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance.

*To the Congress of the United States:*

As required by section 163 of the Trade Act of 1974, as amended (19 U.S.C. 2213), I transmit herewith the 1995 Trade Policy Agenda and 1994 Annual Report on the Trade Agreements Program.

WILLIAM J. CLINTON.  
THE WHITE HOUSE, March 8, 1995.

—  
REPORT ON THE ADMINISTRATION  
OF THE FEDERAL RAILROAD  
SAFETY ACT OF 1970—MESSAGE  
FROM THE PRESIDENT—PM 30

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Commerce, Science, and Transportation.

*To the Congress of the United States:*

I transmit herewith the 1993 annual report on the Administration of the Federal Railroad Safety Act of 1970, pursuant to section 211 of the Act (45 U.S.C. 440(a)).

WILLIAM J. CLINTON.  
THE WHITE HOUSE, March 8, 1995.

—  
EXECUTIVE AND OTHER  
COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-475. A communication from the U.S. Trade Representative, transmitting, a draft of proposed legislation to provide authorization of appropriations for the Office of the United States Trade Representative for fiscal years 1996 and 1997; to the Committee on Finance.

EC-476. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, a Presidential Determination relative to the Serbia and Montenegro Sanctions Program; to the Committee on Foreign Relations.

EC-477. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC-478. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC-479. A communication from the Director of the U.S. Information Agency, transmitting, a draft of proposed legislation entitled "U.S. Information Agency Authorization Act, Fiscal Years 1996 and 1997"; to the Committee on Foreign Relations.

—  
EXECUTIVE REPORTS OF  
COMMITTEES

The following executive reports of committees were submitted:

By Mr. PACKWOOD, from the Committee on Finance:

Maurice B. Foley, of California, to be a judge of the U.S. Tax Court for a term expiring 15 years after he takes office.

Juan F. Vasquez, of Texas, to be a judge of the U.S. Tax Court for a term expiring 15 years after he takes office.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HOLLINGS (for himself, Mr. BREAUX, and Mr. KERRY):

S. 517. A bill to eliminate the Board of Review for the Metropolitan Washington Airports Authority and increase the number of Presidential appointees to the Authority, and for other purposes; to the Committee on Commerce, Science, and Transportation.

### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CHAFEE (for himself, Ms. SNOWE, Mrs. BOXER, Mr. BRYAN, Mr. HOLLINGS, Mr. THURMOND, Mr. LUGAR, Mrs. HUTCHISON, Mr. WARNER, Mr. AKAKA, Mrs. MURRAY, Ms. MOSELEY-BRAUN, Mr. SIMON, Mr. STEVENS, Mr. MURKOWSKI, Mr. KEMPTHORNE, Mr. LOTT, Mr. INOUE, Mr. HATFIELD, Mr. MCCAIN, Mr. JEFFORDS, Mr. COCHRAN, Mr. JOHNSTON, Mr. BURNS, Mr. BAUCUS, Mr. DODD, Mr. KERREY, Mr. DORGAN, Mr. BRADLEY, Mr. LEVIN, Mr. LEAHY, Mr. BROWN, Mr. DOMENICI, Mr. DASCHLE, Mr. SARBANES, Mrs. FEINSTEIN, Mr. GRASSLEY, Ms. MIKULSKI, Mr. ROBB, and Mr. CRAIG):

S. Res. 85. A resolution to express the sense of the Senate that obstetrician-gynecologists should be included in Federal laws relating to the provision of health care; to the Committee on Labor and Human Resources.

By Mr. DOLE (for himself and Mr. DASCHLE):

S. Res. 86. A resolution to make effective the appointment of the Deputy Senate Legal Counsel.

### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HOLLINGS (for himself, Mr. BREAUX, and Mr. KERRY):

S. 517. A bill to eliminate the Board of Review for the Metropolitan Washington Airports Authority and increase the number of Presidential appointees to the Authority, and for other purposes; to the Committee on Commerce, Science, and Transportation.

#### THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY AMENDMENTS ACT OF 1995

Mr. HOLLINGS. Mr. President, today, I am introducing a bill that seeks to accomplish two goals: first, to make sure that the Metropolitan Washington Airports Authority [MWAA] can continue to operate and prosper; and second, to ensure that appropriate input into the decisions of the MWAA is maintained. The bill thus protects the interests of the travelling public and maintains many well-developed and defined compromises on which many of my colleagues have worked over the years.

I had initially considered legislation recreating a board of review with authority to oversee the actions of MWAA. That was part of the original

arrangement in transferring these airports—Congress would be able to oversee actions of the airports because they are critical resources, not just for Virginia, but for all of the States. Such an approach also would have protected the traveling public and maintained the resolution of difficult issues accomplished with the transfer. This bill does not take that step, but instead is intended as a compromise, and one that is workable for all concerned.

I want to put this matter in perspective for my colleagues. In 1986, I spent many days on the Senate floor debating the transfer of Washington National and Dulles Airports. I believed then, as I do now, that we have a responsibility to ensure that Federal assets are properly used, are properly valued, and are able to provide benefits to their users. These airports are important to all of us and our constituents. As a result, when Congress created the MWAA, a number of critical and interrelated compromises were made, including assurances that access to the airports would be appropriately maintained and that the Federal Government would retain its authority and oversight of the airports.

In addition, Congress specifically recognized the historic use of the airports and legislated that the number of operations, or slots, and the rules governing flights would be frozen. The local community, including Maryland, the District of Columbia, and Virginia, recognized that National Airport would be allowed to continue to serve cities that it had traditionally served, and Dulles would be given a chance to grow into a major domestic and international airport. This meant that noise problems would be minimized at National, and growth would occur at a then-distant facility some 22 miles from the Capital.

As my colleagues know, both Washington National and Dulles International are undergoing major renovations. The airports floated more than \$1.3 billion in bonds and currently have underway about \$700 million in construction projects. All of us have seen first hand the major construction going on at these airports. That construction came about because Congress recognized that the airports served different purposes, and we facilitated future planning and growth opportunities. National Airport has a perimeter rule, which ensures service to communities within the perimeter rule. That was part of the original deal. The former Governor of Virginia, Gerald Baliles, at a hearing before the Commerce Committee's Aviation Subcommittee, recently reiterated how carefully balanced the transfer legislation was. Dulles, without a perimeter rule, has the benefit of a superhighway with door-to-door access from downtown Washington to the airport, to facilitate its growth. And it has grown. We need to make sure that we keep our commitments to all of the States involved.

Congress also recognized that these airports are more than just local airports, and because the underlying land is Federal property, we established a congressional board of review and an Airports Authority—two separate bodies, appointed in different ways, and with different responsibilities.

Unfortunately, the Supreme Court disagreed with our method of oversight, and on January 23, 1995, the Supreme Court denied certiorari in *Hechinger versus Metropolitan Washington Airports Authority*. The Court of Appeals had struck down as unconstitutional the congressional board of review. The appellate court's decision has been stayed until March 31, 1995.

Under the existing legislation, because the board of review has been found to be unconstitutional, the Airports Authority is unable to move forward on major decisions.

As a result, Congress must now take action to address the problem. There are many options available, but our goal should be to ensure appropriate oversight of a facility on Federal property being operated under a long-term lease, without creating a maze of oversight. This is a fine line, but a responsibility we must accept. Therefore, today I am introducing legislation that will add six Presidentially appointed and Senate-confirmed members to the MWAA board of directors. This will ensure that the Federal Government continues its active participation in the decisions of these airports, but also will recognize that the communities have an important and critical role in shaping the future of these airports. The bill eliminates the congressional board of review.

The legislation goes to the heart of the problem—and does so in a way that is constitutional. I urge my colleagues to support it.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 517

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Metropolitan Washington Airports Authority Amendments Act of 1995".

#### SEC. 2. ELIMINATION OF BOARD OF REVIEW.

Section 6007 of the Metropolitan Washington Airports Act of 1986 (formerly 49 U.S.C. App. 2456) is amended—

- (1) by striking subsection (f); and
- (2) by striking subsection (h) and redesignating subsection (i) as (h).

#### SEC. 3. INCREASE IN NUMBER OF PRESIDENTIALLY-APPOINTED MEMBERS OF BOARD.

(a) IN GENERAL.—Section 6007(e) of the Metropolitan Washington Airports Act of 1986 (formerly 49 U.S.C. App. 2456(e) is amended—

- (1) by striking "one member" in paragraph (1)(D) and inserting "7 members"; and
- (2) by striking "Seven" in paragraph (5) and inserting "10".

(b) SEPARABILITY.—

(2) Section 6011 of that Act (formerly 49 U.S.C. App. 2460) is amended by striking "Except as provided in section 6007(h), if" and inserting "If".

(c) STAGGERING TERMS FOR PRESIDENTIAL APPOINTEES.—Of the members first appointed by the President after the date of enactment of this Act—

(1) one shall be appointed for a term that expires simultaneously with the term of the member of the Metropolitan Washington Airports Authority board of directors serving on that date (or, if there is a vacancy in that office, the member appointed to fill the existing vacancy and the member to which this paragraph applies shall be appointed for 2 years);

(2) two shall be appointed for terms ending 2 years after the term of the member to which paragraph (1) applies expires; and

(3) three shall be appointed for terms ending 4 years after the term of the member to which paragraph (1) applies expires.

#### SEC. 4. PRESERVATION OF ACTIONS BY PREVIOUS BOARD.

Any action taken by the Board of Review under section 6007(f) of the Metropolitan Washington Airports Act of 1986 (49 U.S.C. App. 2456(f)) as such section was in effect before its amendment by this Act is hereby ratified and deemed valid.

#### SEC. 5. RECONSTITUTED BOARD TO FUNCTION WITHOUT INTERRUPTION.

Notwithstanding any provision of State law, including those provisions establishing, providing for the establishment of, or recognizing the Metropolitan Washington Airports Authority, and based upon the Federal interest in the continued functioning of the Metropolitan Washington Airports (as defined in section 6004(4) of the Metropolitan Washington Airports Authority Act of 1986 (formerly 49 U.S.C. App. 2451(4))), the board of directors of such Authority, including any members appointed under the amendments made by section 3, shall continue to meet and act after the date of enactment of this Act until such time as any necessary conforming changes in State law are made in the same manner as if those conforming changes had been enacted on the date of enactment of this Act.

#### SEC. 6. STATUS UNAFFECTED.

Nothing in this Act, or the amendments made by this Act, shall affect the treatment of the Metropolitan Washington Airports Authority under Federal, State, or local tax law.

#### SEC. 7. ADVISORY GROUP TO REVIEW LEASE PAYMENTS.

(a) IN GENERAL.—Section 6007 of the Metropolitan Washington Airports Authority Act of 1986 (formerly 49 U.S.C. App. 2456) is amended by adding at the end thereof the following new subsection:

"(i) ADVISORY GROUP TO REVIEW LEASE.—

"(1) APPOINTMENT.—The Secretary shall appoint an advisory group of 3 individuals not otherwise employed by the United States Government to review—

"(A) the lease arrangements under section 6005; and

"(B) any renegotiation of that lease or any portion of it, including subleases, including any change in the terms or conditions of that lease, and including the amount of any payments made or received under it.

"(2) TERMS; QUALIFICATIONS.—

"(A) Members of the advisory group shall serve at the pleasure of the Secretary.

"(B) Members of the advisory group shall be chosen on the basis of their experience in aviation matters and in addressing the needs of airport users.

"(3) REIMBURSEMENT OF EXPENSES.—Members of the advisory group shall serve with-

out compensation but shall be reimbursed by the Airports Authority for expenses actually incurred in carrying out their responsibilities under this Act."

(b) CHANGE IN DISPOSITION OF LEASE PAYMENTS.—Section 6005(b)(1) of that Act (formerly 49 U.S.C. App. 2454(b)(1)) is amended by striking "general fund of the Treasury" and inserting "the Airport and Airway Trust Fund".

#### ADDITIONAL COSPONSORS

S. 190

At the request of Mr. PRESSLER, the name of the Senator from Vermont [Mr. JEFFORDS] was added as a cosponsor of S. 190, a bill to amend the Fair Labor Standards Act of 1938 to exempt employees who perform certain court reporting duties from the compensatory time requirements applicable to certain public agencies, and for other purposes.

S. 270

At the request of Mr. SMITH, the name of the Senator from South Carolina [Mr. THURMOND] was added as a cosponsor of S. 270, a bill to provide special procedures for the removal of alien terrorists.

S. 275

At the request of Mr. GRASSLEY, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 275, a bill to establish a temporary moratorium on the Interagency Memorandum of Agreement Concerning Wetlands Determinations until enactment of a law that is the successor to the Food, Agriculture, Conservation, and Trade Act of 1990, and for other purposes.

S. 323

At the request of Mrs. KASSEBAUM, the name of the Senator from Georgia [Mr. COVERDELL] was added as a cosponsor of S. 323, a bill to amend the Goals 2000: Educate America Act to eliminate the National Education Standards and Improvement Council, and for other purposes.

S. 356

At the request of Mr. SHELBY, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 356, a bill to amend title 4, United States Code, to declare English as the official language of the Government of the United States.

S. 439

At the request of Mr. THOMAS, the name of the Senator from Arizona [Mr. KYL] was added as a cosponsor of S. 439, a bill to direct the Director of the Office of Management and Budget to establish commissions to review regulations issued by certain Federal departments and agencies, and for other purposes.

#### SENATE JOINT RESOLUTION 21

At the request of Mr. THOMPSON, the name of the Senator from Idaho [Mr. KEMPTHORNE] was added as a cosponsor of Senate Joint Resolution 21, a joint resolution proposing a constitutional amendment to limit congressional terms.

#### SENATE RESOLUTION 85—RELATIVE TO HEALTH CARE LEGISLATION

Mr. CHAFEE (for himself, Ms. SNOWE, Mrs. BOXER, Mr. BRYAN, Mr. HOLLINGS, Mr. THURMOND, Mr. LUGAR, Mrs. HUTCHISON, Mr. WARNER, Mr. AKAKA, Mrs. MURRAY, Ms. MOSELEY-BRAUN, Mr. SIMON, Mr. STEVENS, Mr. MURKOWSKI, Mr. KEMPTHORNE, Mr. LOTT, Mr. INOUE, Mr. HATFIELD, Mr. MCCAIN, Mr. JEFFORDS, Mr. COCHRAN, Mr. JOHNSTON, Mr. BURNS, Mr. BAUCUS, Mr. DODD, Mr. KERREY, Mr. DORGAN, Mr. BRADLEY, Mr. LEVIN, Mr. LEAHY, Mr. BROWN, Mr. DOMENICI, Mr. DASCHLE, Mr. SARBANES, Mrs. FEINSTEIN, Mr. GRASSLEY, Ms. MIKULSKI, Mr. ROBB, and Mr. CRAIG) submitted the following resolution; which was referred to the Committee on Labor and Human Resources:

S. RES. 85

Whereas women constitute more than 50 percent of the population of the United States;

Whereas, because women's health historically has received little attention in terms of Federal funding and in terms of research priorities, there should be an increased emphasis on the needs and preferences of women in such areas;

Whereas the Federal Government should increase its support for women's health and can make a significant difference in improving the status of women's health;

Whereas increased funding for research is insignificant if women's health care services are restricted;

Whereas many women view their obstetrician-gynecologist as their primary or sole physician;

Whereas approximately 70 percent of women would be unwilling to change their obstetrician-gynecologist to save money;

Whereas an obstetrician-gynecologist improves the access to health care of a woman by providing primary and preventive health care throughout the woman's lifetime, encompassing care of the whole patient in addition to focusing on the processes of the female reproductive system;

Whereas preventive and primary care provided by an obstetrician-gynecologist includes instruction in breast self-examination, cervical cancer screening, health education, instruction in health promotion, hypertension and cardiovascular surveillance, osteoporosis counseling, sexually transmitted diseases counseling, and identification of victims of domestic violence;

Whereas the most effective way to treat health problems is to prevent such problems from occurring or to catch such problems in the early stages, when such problems are most treatable;

Whereas 60 percent of all office visits to obstetrician-gynecologists are for preventive care;

Whereas obstetrician-gynecologists refer their patients to other physicians less frequently than other primary care providers, thus avoiding costly and time-consuming referrals;

Whereas more than two-thirds of all visits to obstetrician-gynecologists were by established patients of the physician who were returning for care of a medical condition;

Whereas obstetrician-gynecologists manage the health of women beyond the reproductive system, and are uniquely qualified on the basis of education and experience to provide such health care services to women;

Whereas obstetrician-gynecologists provide health care to women with an awareness of the relationship of disease to family history;

Whereas over two-thirds of general family practice physicians do not deliver newborns and will not be able to address this need of women; and

Whereas 80 percent of maternity care services in the United States are provided by obstetrician-gynecologists: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) obstetrician-gynecologists should be included as primary care providers for women in Federal laws relating to the provision of health care; and

(2) legislative proposals that define primary care should include primary care services performed by obstetrician-gynecologists in such definition.

• Mr. CHAFEE. Mr. President, today I join with my colleagues Senator BOXER and Senator SNOWE, along with 37 other Senators in submitting a sense-of-the-Senate resolution that obstetrician-gynecologists [OB-GYN's], should be recognized as primary care physicians under Federal health programs.

This resolution is a very important first step in guaranteeing American women the access to quality medical care that they need in order to lead healthy and productive lives. Such a change in policy would give women greater access to the medical treatment they need, while eliminating much of the bureaucracy in our current health care system.

American women use obstetrician-gynecologists more than any other type of physician. In 1987, more than 53 percent of women aged 15 and older, who visited an OB-GYN, did so to receive a general check-up. In 1990, over 7 million women visited an OB-GYN for a general examination. When asked, the majority of these women stated that they regarded their OB-GYN as their primary care physician. In fact, receiving a general check-up was cited more frequently as a motivating factor for seeing an OB-GYN than for visiting either family physicians or internists.

OB-GYN's provide a variety of services which are vital to women's health: screenings for breast, ovarian, and cervical cancer; counseling about sexually transmitted diseases, such as HIV; and identifications of domestic violence victims.

One of the most important services that OB-GYN's provide is prenatal care. Lack of adequate prenatal care has serious ramifications on our society: mental retardation, deafness, blindness, autism, cerebral palsy, epilepsy, or chronic lung ailments, are just a few of the problems that affect children whose mothers did not receive adequate prenatal care. The Institute of Medicine, in its report, "Preventing Low Birthweight," found that prenatal care is most effective in reducing the chance of low birthweight among high-risk women.

Dr. Ruth Schwartz, clinical professor of obstetrics and gynecology at the University of Rochester School of Med-

icine and Dentistry, has stated that a woman with prenatal care is five times as likely to give birth to a living child than women who have no prenatal care. Although only 7 percent of live births were low-birth-weight babies, this number accounts for nearly 60 percent of all infant deaths.

Infant mortality rates in this country should be a concern to all of us. We are the richest nation on the planet, the most industrialized country in the world, and yet we have one of the highest infant mortality rates in the industrialized world. As the preceding statistics attest, one way to defeat this statistic is to provide American women freer access to OB-GYN's.

The majority of American women perceive their OB-GYN's as their primary care physicians. The challenges that we face with regard to battling infant mortality and ensuring health babies point us toward one direction: giving women direct access to OB-GYN's.

Mr. President, I urge my colleagues to cosponsor this important resolution. •

#### SENATE RESOLUTION 86—RELATIVE TO THE DEPUTY SENATE LEGAL COUNSEL

Mr. DOLE (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 86

*Resolved*, That the appointment of Thomas B. Griffith to be Deputy Senate Legal Counsel, made by the President pro tempore this day, shall become effective on March 13, 1995, and the term of service of the appointee shall expire at the end of the One Hundred Fifth Congress.

#### AMENDMENTS SUBMITTED

#### THE EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCIS-SIONS ACT

##### SIMON AMENDMENT NO. 327

Mr. SIMON proposed an amendment to the bill (H.R. 889) making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes; as follows:

On page 22, strike out line 16 and all that follows through page 23, line 2.

On page 22, line 2, strike out "65,000,000", and insert "81,000,000" in lieu thereof.

##### MURKOWSKI (AND DOLE) AMENDMENT NO. 328

Mr. MURKOWSKI (for himself and Mr. DOLE) proposed an amendment to the bill H.R. 889, supra; as follows:

On page 25, between lines 4 and 5, insert the following:

SEC. 110. None of the funds appropriated or otherwise made available by this Act may be

obligated or expended for assistance to or programs in the Democratic People's Republic of Korea, or for implementation of the October 21, 1994, Agreed Framework between the United States and the Democratic People's Republic of Korea, unless specifically appropriated for that purpose.

##### HELMS AMENDMENT NO. 329

Mr. HELMS proposed an amendment to the bill H.R. 889, supra; as follows:

At the appropriate place in the bill, insert the following new section:

##### SEC. . LIMITATION ON EMERGENCY AND EXTRAORDINARY EXPENSES.

(a) IN GENERAL.—Funds appropriated or otherwise made available to the Department of Defense may not be obligated under section 127 of title 10, United States Code, for the provision of assistance, including the donation, sale, or financing for sale, of any time, to a foreign country that is ineligible under the Foreign Assistance Act of 1961 or the Arms Export Control Act to receive any category of assistance.

(b) EFFECTIVE DATE.—The limitations in subsection (a) shall apply to obligations made on or after the date of enactment of this Act.

##### BUMPERS (AND LAUTENBERG) AMENDMENT NO. 330

Mr. BUMPERS (for himself and Mr. LAUTENBERG) proposed an amendment to the bill H.R. 889, supra; as follows:

At the end of the bill add the following:

SEC. . Notwithstanding any other provision of law, effective 30 days after the date of enactment of this Act, none of the funds made available for the National Aeronautics and Space Administration by any previously enacted Act shall be obligated or expended for the NASA/Russian Cooperative MIR program, unless the President certifies to Congress that Russia has agreed not to sell nuclear reactor components to Iran.

##### KASSEBAUM (AND OTHERS) AMENDMENT NO. 331

Mrs. KASSEBAUM (for herself, Mr. DOLE, Mr. HATCH, Mr. THURMOND, Mr. GRAMM, Mr. GREGG, Mr. CHAFEE, and Mr. COVERDELL) proposed an amendment to the bill, H.R. 889, supra; as follows:

At the end of the first excepted committee amendment, insert the following:

SEC. 110. (a) Congress finds that (1) it is the role of Congress, as the representative body of the people, to decide the policy of the United States with respect to relations between management and labor; and (2) the executive branch should not use the Federal procurement process to initiate major changes in the labor-management relations of the United States.

(b) The purpose of this Act is to ensure that the Congress decides important labor-management relations policy by prohibiting the executive branch from spending any appropriated funds for the purpose of implementing an executive order that would debar or in any way limit the right of Federal contractors under common law to use permanent replacements for workers engaged in a strike.

(c) None of the funds made available under any appropriations Act for fiscal year 1995 may be used to implement, administer, or enforce any executive order, or other rule, regulation, or order, that limits, restricts, or otherwise affects the ability of any existing



or potential Federal contractor, subcontractor, or vendor to hire permanent replacements for lawfully striking employees.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. HATFIELD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, March 8, 1995, to conduct a hearing on credit unions.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. HATFIELD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, March 8, 1995, for purposes of conducting a Full Committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this oversight hearing is to consider domestic petroleum production and international supply.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FINANCE

Mr. HATFIELD. Mr. President, I ask unanimous consent that the Finance Committee be permitted to meet Wednesday, March 8, 1995, beginning at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing on welfare reform.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FOREIGN RELATIONS

Mr. HATFIELD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, March 8, 1995, at 1:30 p.m. to hold a hearing on Intellectual Property Rights and the People's Republic of China.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. HATFIELD. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Wednesday, March 8, at 9:30 a.m. for a hearing on regulatory reform.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON INDIAN AFFAIRS

Mr. HATFIELD. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, March 8, 1995, beginning at 2:30 p.m., in room 485 of the Russell Senate Office Building on reforming and downsizing of the Bureau of Indian Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. HATFIELD. Mr. President, I ask unanimous consent that the Com-

mittee on Labor and Human Resources be authorized to meet for a hearing on health professions consolidation and reauthorization, during the session of the Senate on Tuesday, March 8, 1995, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON SMALL BUSINESS

Mr. HATFIELD. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the sessions of the Senate on Wednesday, March 8, 1995, at 9:30 a.m., in room SR-428A, to conduct a hearing focusing on the Regulatory Flexibility Amendments Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. HATFIELD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, March 8, 1995, at 2 p.m. to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT

Mr. HATFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Forests and Public Land Management of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, March 8, 1995, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2 p.m. The purpose of this oversight hearing is to consider Forest Service appeals.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADDITIONAL STATEMENTS

##### INDIAN ISSUES

• Mr. CAIN. Mr. President, last November's election signaled the end of business as usual on the part of the Federal Government. With the post-election talk of welfare reform and block grants, Indian country has been swept up by concern that the unique needs of Indian tribes will be ignored during the debate on block grants and welfare reform. Indeed, in the dozens of meetings I have had with tribal leaders over the past month, they have expressed concern that current block grant proposals in the Congress will diminish the already inadequate level of welfare and social service resources available to tribes and their members. I understand these concerns because, as a practical matter, tribal governments have been routinely shut out of the policy debates and kept away from the table when major policy decisions are made.

What is most frustrating, however, is that during the past 2 months I have heard statements that are premised

solely on the notion that promoting block grants implies that the new majority in Congress intends to diminish the trust responsibility that the Congress and the administration have toward American Indians and Alaska Natives, and that the majority intends to use reform to undermine tribal sovereignty and the government-to-government relationship between the United States and Indian tribes. I find it unfortunate that there are those who would choose to spread this message of impending doom rather than work constructively and creatively to find ways to include tribal governments in the current debate.

Mr. President, let me set the record straight. I do not believe any Member of this body, Republican or Democrat, would deliberately and purposefully seek to diminish the benefits that various Federal programs have provided for individual Indians and Indian tribes. In fact, I believe that the new Congress has the potential for offering a rare opportunity for Indian tribes to reshape how the Federal Government has dealt with them. The primary reason we are undertaking welfare and block grant reform is to enhance the control of local governments over these programs. This rationale is quite similar to the Federal-Indian policies I have continuously promoted for Indian tribal governments since the beginning of my tenure on the Senate Committee on Indian Affairs.

As the chairman of the committee, I will continue to advance Federal policies that are intended to enhance the control of tribal governments over Federal programs. Therefore, I intend to do everything I can to ensure two things—first, that tribes are not swept aside as we reform the welfare system. And second, that any block grants support, rather than undermine, the unique role that tribal governments have in the Federal system.

In order to accomplish these goals I intend to advocate for the provision of direct Federal funding to Indian tribes for programs otherwise under consideration for consolidation into Federal block grants. I will promote direct funding for tribal governments through tribal block grants. To do otherwise would be inconsistent with the Federal Government's legal and fiduciary obligations to Indian tribes. Direct Federal grants to tribes, bypassing the State governments, is consistent with the government-to-government relationship between the Indian tribes and the Federal Government.

At present, in most Federal welfare programs, more often than not, State governments use Indian population figures to justify higher levels of Federal funding. But no matter how much Federal money a State gets, tribal members continue to experience inequity in the quality and quantity of services available under State administered programs. What is most shocking is the fact that, despite the piles upon piles of existing Federal regulations requiring

State government accountability in operating welfare programs, there are literally no requirements to ensure that tribal populations receive an equitable share of these Federal funds. The only excuse given by State government administrators for this inequity is that administering programs for tribal populations is problematic and more costly because of the remoteness of many tribal communities. If this is indeed the case, States should embrace, not oppose, a new approach that vests in tribal governments the Federal funds and flexible authorities necessary to carry out these responsibilities.

I know that there are some tribal and State governments which have established cooperative working relationships under the present Federal-State arrangement despite the legal and structural impediments to such relationships. There are also many tribal governments which are either too small or unable to administer specific federally funded programs. Many of these tribes have to rely on State governments to administer these programs for their tribal members. In these instances, Indian tribal governments should have the opportunity to use the Federal funding to contract with a State government to administer programs for tribal members.

Many tribal governments have the ability to administer these and many other federally funded programs. Many are eager to do so. As with State governments, excessive Federal regulations have hindered tribal governments in their efforts to administer these programs to serve their communities. For this reason, in the current legislative efforts to reform welfare and other social service programs, tribal governments seek changes that will provide direct Federal funding to them along with reductions in regulatory burdens so that administrative costs are diminished and tribal innovation and flexible authority is increased.

Indian tribal members have long received direct services from a variety of State administered programs. More than 1.1 percent of all Indian people have received State-administered Aid to Families With Dependent Children [AFDC]. The Head Start Program has had a successful track record of serving Indian children and families living in poverty. The Job Opportunity Basic Skills [JOBS] and Job Training Partnership Act [JTPA] programs have helped to improve the lives of thousands of Indians by providing training and employment opportunities both on and off reservation communities. Therefore, I believe it is imperative that the Congress outline a clear role for tribal governments in the block grant and welfare reform debates. Consider, for a moment, the certain result of failure if we do not include tribal governments as part of the solution.

Mr. President, under the Constitution, Congress has plenary power to

prescribe the Nation's Indian policy. Over the past 2 centuries Congress has poorly exercised that power, developing inconsistent or contradictory policies which over time have wasted or misdirected millions upon millions of scarce Federal dollars. More importantly, the periodic contortions in Federal Indian policy have had grave consequences for American Indian people.

I believe Congress has finally begun to make significant strides in improving its dealings with the Indian tribes. Last year, by passing the Indian Self-Determination Act amendments and making the Tribal Self-Governance Demonstration project permanent, Congress clearly set a new course. This new direction offers two key principles that should likewise guide all welfare reform and block grant efforts: (1) Provide direct Federal funding to tribes, in recognition of the government-to-government relationship; and (2) affirm the right of tribes to choose to administer their own programs or to use their funds to contract with States to administer programs according to tribal design.

I am convinced that these principles must be the cornerstone of a viable and fiscally sound Federal policy that will prove to be beneficial to individual Indians and Alaska Natives who have been so critically underserved by Federal-State arrangements. I firmly believe that this policy is wholly consistent with the goal of shifting funds, power, responsibility, and accountability for such programs to local governments, like Indian tribes, which are closest to the people to be served. In addition, I am sure that many tribal leaders will agree with me that all programs currently claiming to serve Indian people should be scrutinized to find ways to cut administrative waste and enhance local tribal government control and flexible tribal administration.

Finally, Mr. President, I must remind those who spread fear that the conditions of Native Americans and their tribal governments will greatly suffer under a Republican-controlled Congress: Indian issues are neither Republican nor Democratic. They are unique, human issues which call for understanding and cooperation on both sides of the aisle. I believe it both wrong-minded and counterproductive to suggest that the new majority party intends to place Native American tribes in some new or greater peril. The far more constructive approach would be to work, in a nonpartisan manner, to adapt the new directions being discussed in the Congress to the unique needs and arrangements that have characterized the best Federal-Indian relations, and that uphold the unique moral and constitutional relationship we have with Indian tribes—that of direct, government-to-government dealings between each tribe and the United States.●

## NATIONAL SPORTSMANSHIP DAY

● Mr. CHAFEE. Mr. President, yesterday marked the celebration of the fifth annual National Sportsmanship Day. Designed to promote ethics, fair play, and good sportsmanship in athletics, as well as in society as a whole, National Sportsmanship Day was initiated by the Institute for International Sport at the University of Rhode Island.

The Institute for International Sport gained national attention in 1993 as the sponsor for the highly successful World Scholar-Athlete Games. More than 1,500 student-athletes from 108 countries participated in athletic and scholastic competitions. This year, the institute will sponsor the Rhode Island Scholar-Athlete Games, which will serve as a model for similar events in all 50 States.

Schools and colleges from across the United States are encouraged to participate in National Sportsmanship Day. This year, 5,000 schools representing all 50 States and 48 countries are expected to participate in the celebration. The programs to celebrate National Sportsmanship Day include discussions, debates, and essay writing and are based on material that the institute provides.

The information provided to participants by the institute also outlines the Student-Athlete Outreach Program, which encourages high schools and colleges to send talented student-athletes to local elementary and middle schools as positive role models. The institute also selects individuals to serve as Ethics Fellows. This year's Ethics Fellows include a Rhode Islander, Claire Ferguson, who is best known as President of the U.S. Figure Skating Association. All of this is done in an effort to highlight the qualities that comprise sportsmanship—honesty, integrity, and humility.

National Sportsmanship Day is recognized by the President's Council on Physical Fitness and Sports. Florence Griffith Joyner and Tom McMillen, co-chairs of the President's Council, pointed out the "valuable life skills and lessons that are learned by youth and adults through participation in sports." I ask that the full text of the letter be printed in the RECORD at the conclusion of my remarks.

I am delighted that National Sportsmanship Day was created in Rhode Island and I applaud all of those who participated in this inspiring event from the students and teachers, to the Ethics Fellows and the participants in the Outreach Program. Finally, I would like to congratulate all of those at the Institute for International Sport at the university of Rhode Island who have made this program a success for the past 5 years.

The letter follows:

THE PRESIDENT'S COUNCIL  
ON PHYSICAL FITNESS AND SPORTS,  
Washington, DC, November 28, 1994.

Mr. TODD SEIDEL,  
Director of National Sportsmanship Day, Institute for International Sport, University of Rhode Island, Kingston, RI.

DEAR MR. SEIDEL: The President's Council on Physical Fitness and Sports is pleased to recognize March 7, 1995, as National Sportsmanship Day. The valuable life skills and lessons that are learned by youth and adults through participation in sports cannot be overestimated.

Participation in sports makes contributions to all aspects of our lives, such as heightened awareness of the value of fair play, ethics, integrity, honesty and sportsmanship, as well as improving levels of physical fitness and health.

The Council congratulates the Institute for International Sport for its continued leadership in organizing this important day and wish you every success in your efforts to broaden participation and awareness of National Sportsmanship Day.

Sincerely,

FLORENCE GRIFFITH  
JOYNER,  
Co-Chair.  
TOM McMILLEN,  
Co-Chair. ●

#### APPOINTMENT OF DEPUTY SENATE LEGAL COUNSEL

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Resolution 86, submitted earlier today by Senators DOLE and DASCHLE, regarding the Deputy Senate Legal Counsel, that the resolution be considered and agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the resolution (S. Res. 86) was agreed to, as follows:

*Resolved*, That the appointment of Thomas B. Griffith to be Deputy Senate Legal Counsel, made by the President pro tempore this day, shall become effective on March 13, 1995, and the term of service of the appointee shall expire at the end of the One Hundred Fifth Congress.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. DOLE. Madam President, I ask unanimous consent that during the 104th Congress the authority of the majority leader to make six appointments and that of the minority leader to make seven appointments to the Senate Arms Control Observer Group, pursuant to S. Res. 105 of the 101st Congress as amended, shall be increased to seven appointments for the majority leader and eight for the minority leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### APPOINTMENT BY THE MAJORITY LEADER

The PRESIDING OFFICER. The Chair announces on behalf of the majority leader, pursuant to Public Law 96-114, as amended, the appointment of the Senator from Idaho [Mr. CRAIG] to the Congressional Award Board.

ORDERS FOR THURSDAY, MARCH  
9,  
1995

Mr. DOLE. Madam President, I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of the 9:30 a.m. on Thursday, March 9, 1995; that following the prayer, the Journal of proceedings be deemed approved to date, the time for the two leaders be reserved for their use later in the day, and there be a period for the transaction of routine morning business not to extend beyond the hour of 11 a.m., with Senators permitted to speak for up to 5 minutes each, with the exception of the following: Senator THOMAS, 10 minutes; Senator BAUCUS, 25 minutes; Senator DASCHLE, 30 minutes; Senator MCCONNELL, 10 minutes; Senator BREAU, 15 minutes.

I further ask that at the hour of 11 a.m. the Senate resume consideration of H.R. 889, the supplemental appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER OF PROCEDURE

Mr. DOLE. Madam President, I will yield to the Senator from Massachusetts in a moment. We will adjourn or recess following that statement.

For the information of my colleagues, we will complete action on the supplemental bill tomorrow; therefore, Senators should be aware rollcall votes are expected throughout tomorrow's session, probably into the evening, and I ask that following the statement by the distinguished Senator from Massachusetts, Senator KENNEDY, the Senate stand in recess under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Madam President, President Clinton is right to use his executive authority to side with American workers and defend their basic right to strike. An insidious business practice has grown up in recent years like mushrooms in the dark under which employers hire permanent replacements for striking workers. That practice is unfair and ought to be prohibited, and that is what the President's Executive order does. It restores the fair balance in labor-management relations and ends the unfair tilt against working families.

I urge the Senate to defeat the Kassebaum amendment, to support the President and reject the unseemly

business and Republican right wing pressure to nullify his order.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Minnesota.

Mr. WELLSTONE. I ask unanimous consent that I have up to 5 minutes to speak before we adjourn.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. I thank the Chair.

Madam President, let me rise in this Chamber to echo the words of the Senator from Massachusetts.

I believe the action taken by the President is an extremely important message. It is an important message that has a great deal to do with fairness and restoring some balance of power between those who work for wages and management. I do not think we are really going to be able to build the kind of successful economy we need for ourselves, for our children, and for our grandchildren unless we have high morale, high levels of productivity, and a really good working relationship between labor and management.

I have seen over the past decade-plus so many strikes defeated, so many unions busted, so many broken lives, so many broken families, and so many broken dreams, and the right to strike has now become the right to be fired, and so much of what many of us or many of our parents or many of our grandparents fought for, which was basic collective bargaining rights, some kind of fairness in the workplace, some kind of support for working people is, I think, really very much in peril.

So, Madam President, I just want to make it clear as we discuss this amendment tomorrow I will be in the Chamber, I will be in the Chamber with documents, I will be in the Chamber with a very full analysis, and I will make every effort possible as a Senator to make this debate real in terms of what it means in personal terms for working people, whether they be in unions or whether they not be in unions. So I look forward to a very spirited and a lively and very important and I think a very long debate.

Madam President, I thank the Chair, and I yield the floor.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Madam President, I look forward to the debate tomorrow. I applaud the action, as I mentioned earlier, the President has taken. We will have an opportunity to debate both the authority and the reasons for that.

Quite clearly, the President has the responsibility to make sure, in terms of implementing the various contracting responsibilities in which the Federal Government is involved, that

there is going to be a good product received in a timely way which meets the various quality standards. He has a responsibility to do so. He has made the judgment that this action is called for.

I was not here earlier tonight at the time those who opposed this action were saying that we ought to have a legislative solution. Last year I was on the floor of the Senate, with, I believe, my friend and colleague, the Senator from Minnesota, when we attempted to take that action, and it was effectively filibustered by those who refused to let the majority of the Members of this body take that action in a bipartisan way. The House of Representatives had taken that action in an overwhelming way. So we were denied the opportunity to take action by the Congress to address this in a legislative way.

The President has responded in a responsible way, and we will have an opportunity to look over the recent history as we debate this issue—the actions that were taken by the President, President Bush, and other Presidents who had used Executive orders to diminish the legitimate rights of workers in this country at a time when legislative proposals were before this body.

But it is important that we understand what is at risk for tens of thousands, hundreds of thousands of working families. I do not know what it is about the Republicans. They have it in for working families, for the most part families that are making \$25,000, \$26,000 a year, trying to pay a mortgage, trying to educate their children, trying to make sure that their parents are going to live constructive and productive and hopeful lives. I do not know what it is that the Republican leadership and the Republican Party has against those Americans who are the backbone of this country.

We already heard the efforts in our committee, the Labor and Human Resources Committee. We have seen the actions taken by the House to effectively emasculate the Davis-Bacon Act. The average construction worker is making \$27,000 a year—\$27,000 a year. What is it about working families that the Republicans have to try to diminish the wages and the working conditions and the rights of working families? We have seen that. And we will see and have the opportunity to debate that issue on the floor of the U.S. Senate.

Here we have another example about the attitude of Republicans towards working families. It is very interesting. You talk about trying to do something about health care for working families—“No, we cannot do that. We cannot possibly address it, to make sure that working families are going to be able to have health insurance.”

We want to do something about minimum wage—“Oh, no, we cannot pass that. We cannot have an increase in the minimum wage. We cannot bring the minimum wage up to try to make it a livable wage. We cannot do that, even though we have record profits in

this country and even though the minimum wage has decreased in terms of its purchasing power to what it was the last time we increased the minimum wage and with Republican—with bipartisan support. No, we cannot have an increase in the minimum wage.”

We have to do something about those families whose kids are going on to college. We have to assist those two-thirds of the young people in my State, 67 percent of whom require student loans, to be able to afford a college education. But the Republicans say, “No, we are going to make them pay increased interest rates while they are going to school and college. The indebtedness of those sons and daughters of working families is not high enough. We are going to make them pay more.”

And now we find when it comes to an economic issue for working families we have them in the bullseye again. When you just look across the spectrum: No on the minimum wage, retreat in terms of Davis-Bacon, to try to make sure workers rights are going to be preserved so we are going to get quality product—that is basically the issue. As John Dunlop has pointed out, the issue is not the wages, it is performance. You can pay less wages and get a lousy product and the taxpayer will be left holding the bag.

So we have “no” on the minimum wage, “no” in terms of trying to do something to protect the construction workers and give the assurance to the taxpayers on their interests, “no” in terms of looking out after the legitimate rights of working families who are trying to participate in this dramatic expansion of the profits that we have seen in the period of the last 4 or 5 years for the major companies and corporations. The workers are not getting any participation in it. For the first time, basically, in the history of the industrial revolution in the United States, workers are not participating.

All they are trying to do is, not demand, but what they want to do is to be able to represent their views, economic views, in a collective bargaining context which is as old as the industrial policy of this country. We find the first time the President stands up on that to try to protect it, the ink is not even dry and our Republican friends are declaring all-out war on these working families.

Sometimes we have to say “no.” I look forward to the debate and discussion when we will get into greater detail, not only on these measures but on the particular Executive order. On tomorrow we will have a chance to debate this issue.

Mr. WELLSTONE. Will the Senator yield for a moment?

Mr. KENNEDY. I will be glad to yield.

Mr. WELLSTONE. Will the Senator, my colleague from Massachusetts, agree that actually tomorrow will be a very important day for the Senate and for the country, because we really will have a full opportunity to talk about

the concerns and circumstances of working families? That this really will be an opportunity to talk about wages, to talk about jobs, talk about opportunities—

Mr. KENNEDY. Talk about children.

Mr. WELLSTONE. To talk about children, that is correct. To really talk about what is being attempted right now in the House of Representatives, and over here in the Senate, and to try to take all of this discussion about strategy—I really respect the way the Senator put it just a moment ago—all this talk of strategy and which buttons to push, to put it in personal terms: families, people's lives, opportunities.

I think tomorrow will be a day—I ask the Senator—where we will take the opportunity to really spell out in great detail what the meaning of all this is.

Mr. KENNEDY. I agree with the Senator. We just got notice of the introduction of this amendment a short while ago. We will have a full opportunity to debate it tomorrow. I was prepared to debate it this evening or tomorrow or the day after or whatever it takes. The Senator is one of our leaders in terms of what has been happening to children, to children's rights and children's interests, what has been happening to hungry children. These are the sons and daughters of working families. All of this is coming into a sharper perspective. And all of these are basically related to the economic rights of working families.

They are not able to pursue those economic rights which have been basic and fundamental rights in our society, and which have been the backbone of our strength and vitality—the fact that men and women were able to pursue their economic dreams, as well as the success of the private sector, in a way which both of the parties were able to grow and to prosper. And to see that kind of effort to diminish that, and to also see, Madam President, the efforts that have been made in the recent days on changing Taft-Hartley, and that 8(a)2 provision, to try to repeal the existing ability for the trade union movement to organize workers, to have that whole concept threatened with company-controlled unions, as I fear would be the case with the 8(a)2 recommendations—this is all part of an effort.

We are only into this year some 2½ months. Take how we are going to change the whole Taft-Hartley law and the 8(a)2, take the action this evening on the President's Executive order to protect workers rights, take the opposition to the minimum wage—the whole series. We will have a chance to debate this, hopefully, in an informed, balanced way tomorrow and to really point out what is at risk with this particular amendment from my friend and colleague.

I urge my colleagues this evening to think deeply about this amendment. It is a matter of enormous importance and I think it will tell a great deal about this Senate and also about where

we as a country are really going in these next few years.

Mr. WELLSTONE. If the Senator will yield for one final question?

Mr. KENNEDY. Yes.

Mr. WELLSTONE. Will the Senator agree with me that some of the issues that he just highlighted tonight have a great deal to do with 60 years of history, and to an extent this agenda we see right now is an attempt to really turn the clock back in a way people of the United States of America, when they see it, will just not support? It is beyond the goodness of people. It is beyond what people are about in our country.

Will the Senator agree that this really calls for, tomorrow, a full debate? This really calls for a day of real debate on this question? So it will be our hope that Senators will be out here and we will have a chance to go through these issues in great depth.

Mr. KENNEDY. The Senator is absolutely correct. I will look forward to that opportunity.

Mr. WELLSTONE. I look forward to that.

#### APPOINTMENT BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 95-521, appoints Thomas B. Griffith as Deputy Senate Legal Counsel, effective March 13, 1995.

#### RECESS UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate now stands in recess until 9:30 a.m. tomorrow, March 9, 1995.

Thereupon, the Senate, at 7:09 p.m., recessed until Thursday, March 9, 1995, at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate March 8, 1995:

##### IN THE ARMY

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST IN THE GRADE INDICATED UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

##### *To be lieutenant general*

GLYNN C. MALLORY, JR., 000-00-0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

##### *To be lieutenant general*

RONALD V. HITTE, 000-00-0000

##### IN THE AIR FORCE

THE FOLLOWING OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE, TO THE GRADE INDICATED, UNDER THE PROVISIONS OF SECTIONS 553, 8373, AND 8374, AND 12004, TITLE 10, UNITED STATES CODE:

##### AIR FORCE RESERVE

##### *To be major general*

LOUIS A. CRIGLER, 000-00-0000  
TERRENCE L. DAKE, 000-00-0000  
ROBERT A. NESTER, 000-00-0000  
REESE R. NIELSEN, 000-00-0000

RALPH H. OATES, 000-00-0000

##### *To be brigadier general*

LOUIS C. FERRARO, JR., 000-00-0000  
CLAYTON T. GADD, 000-00-0000  
WALTER T. HATCHER III, 000-00-0000  
ROBERT A. KRELL, 000-00-0000  
SHARON K. MAILEY, 000-00-0000  
JAMES L. MARTIN, 000-00-0000  
WAYNE L. PRITZ, 000-00-0000  
EDWARD F. RODRIGUEZ, JR., 000-00-0000  
DENNIS W. SCHULSTAD, 000-00-0000  
LAWRENCE F. SHEEHAN, 000-00-0000  
LARRY L. TWITCHELL, 000-00-0000  
ERNEST R. WEBSTER, 000-00-0000  
GEOFFREY P. WEIDEMAN, JR., 000-00-0000

THE FOLLOWING OFFICERS FOR APPOINTMENT IN THE REGULAR AIR FORCE UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 531, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 8067, TO PERFORM DUTIES INDICATED WITH GRADE AND DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE PROVIDED THAT IN NO CASE SHALL THE FOLLOWING OFFICERS BE APPOINTED IN A HIGHER GRADE THAN THAT INDICATED.

##### REGULAR AIR FORCE

##### NURSE CORPS

##### *To be lieutenant colonel*

ROBERTA L. FIERRO, 000-00-0000  
MARGARET A. JEALOUS, 000-00-0000

##### BIOMEDICAL SCIENCE CORPS

##### *To be lieutenant colonel*

HARVEY J.U. ADAMS, JR., 000-00-0000  
ANDREW COLON, 000-00-0000  
JOHN G. SCHLEIFER, 000-00-0000  
ROBERT H. SCHWARZHOFF, 000-00-0000  
NANCY A. SLICNER, 000-00-0000

##### NURSE CORPS

##### *To be major*

JACQUELINE D. ALLEN, 000-00-0000  
BRUCE D. BISHOP, 000-00-0000  
CAROLYN A. CRAMER, 000-00-0000  
JEREMIAH J. FLANIGAN, 000-00-0000  
SELEA A. HAYES, 000-00-0000  
JANET A. HAYHURST, 000-00-0000  
ROBERT G. HONTZ, 000-00-0000  
BARBARA A. JARRETT, 000-00-0000  
SUSAN E. JONES, 000-00-0000  
DAVID L. KUTZLER, 000-00-0000  
HELEN F. LINDSEY, 000-00-0000  
BONNIE L. MACK, 000-00-0000  
KATHLEEN A. MCCLELLAN, 000-00-0000  
EILEEN B. MOFFITT, 000-00-0000  
MARIAN B. NUTT, 000-00-0000  
JANICE E. PEEBLY, 000-00-0000  
SIDNEY H. POTMESIL II, 000-00-0000  
JEANNE C. ROGERS, 000-00-0000  
VICTORIA M. RUTLEDGE, 000-00-0000  
DENNIS C. SAMPSON, 000-00-0000  
STEVEN L. VIEIRA, 000-00-0000  
WALLACE K. WINTER, 000-00-0000

##### BIOMEDICAL SCIENCE CORPS

##### *To be major*

GREGORY D. CLIFT, 000-00-0000  
MARY A. ELLIOTT, 000-00-0000  
JEFFREY L. FOSTER, 000-00-0000  
JOE F. GROSS, JR., 000-00-0000  
SCOTT O. HAIL, 000-00-0000  
FRED C. KELSEY, 000-00-0000  
JOHN A. KILDEW, 000-00-0000  
MONTE C. MCMEANS, 000-00-0000  
JEFFREY W. SHRIFTER, 000-00-0000  
JAMES N. SOTACK, JR., 000-00-0000  
JOHN T. SWINSON, 000-00-0000  
TIPTON W. YOUNG, 000-00-0000

THE FOLLOWING INDIVIDUALS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE, IN GRADE INDICATED, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 12203, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 8067, TO PERFORM THE DUTIES INDICATED.

##### MEDICAL CORPS

##### *To be lieutenant colonel*

MARTIN E. APPLEBAUM, 000-00-0000

##### NURSE CORPS

##### *To be lieutenant colonel*

CAROL P. MANN, 000-00-0000

THE FOLLOWING AIR FORCE OFFICER FOR PERMANENT PROMOTION IN THE U.S. AIR FORCE, IN ACCORDANCE WITH TITLE 10, UNITED STATES CODE, SECTION 624 AND 1552, WITH DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

##### CHAPLAIN CORPS

##### *To be lieutenant colonel*

STEPHEN D. HESS, 000-00-0000

##### IN THE NAVY

THE FOLLOWING-NAMED U.S. NAVAL RESERVE OFFICERS TO BE APPOINTED PERMANENT ENSIGN IN THE

LINE OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

AMY L. DIGIOVANNI, 000-00-0000  
MICHAEL J. HANNA, 000-00-0000  
ANTONIO HICKS, 000-00-0000

THE FOLLOWING-NAMED NAVAL RESERVE OFFICERS TRAINING CORPS PROGRAM CANDIDATES TO BE APPOINTED PERMANENT ENSIGN IN THE LINE OR STAFF CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

KUMAR ATARTHI, 000-00-0000  
SCOTT AYERS, 000-00-0000  
WILLIAM BAXTER, 000-00-0000  
ESTHER BOPP, 000-00-0000  
VICTORIA DASHNERWUERTZ, 000-00-0000  
AARON FORESTER, 000-00-0000  
JEFFREY GILBERTSON, 000-00-0000  
DONALD JENKINS, 000-00-0000  
CHRISTIAN JURIS, 000-00-0000  
DAVID LALIBERTE, 000-00-0000  
AMY MARION, 000-00-0000  
JOHN T. MARTIN, 000-00-0000  
CARLOS MONTANEZ, 000-00-0000  
ANTHONY MOORE, 000-00-0000  
DORIAN PARKER, 000-00-0000  
CHRISTOPHER R. RUSSELL, 000-00-0000  
JOSE SANCHEZ, 000-00-0000  
KARL SASSER, 000-00-0000  
RONALD TERRELL, 000-00-0000  
JOHN VECOLI, 000-00-0000  
DONNA WATKINS, 000-00-0000

THE FOLLOWING-NAMED CANDIDATES IN THE NAVY ENLISTED COMMISSIONING PROGRAM TO BE APPOINTED PERMANENT ENSIGN IN THE LINE OR STAFF CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

DWAYNE BANKS, 000-00-0000  
GREGORY DIXON, 000-00-0000  
JOSEPH ESPINO, 000-00-0000  
ANDREW FISCHER, 000-00-0000  
MATTHEW FLEMMING, 000-00-0000  
BRUCE W. FORD, 000-00-0000  
THOMAS M. GOLSON, 000-00-0000  
JADON LINCOLN, 000-00-0000  
CHARLEYEN A. LINDER, 000-00-0000  
MATTHEW MEMMELAAAR, 000-00-0000  
ROSS NISWANGER, 000-00-0000  
RONALD ROEN, 000-00-0000  
EDWARD L. STEVENSON, 000-00-0000  
BRYAN N. THOMPSON, 000-00-0000  
RICHARD WATERS, 000-00-0000

THE FOLLOWING-NAMED U.S. NAVAL RESERVE OFFICER TO BE APPOINTED PERMANENT LIEUTENANT IN THE MEDICAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

SUSAN A. LIPPOLD, 000-00-0000

THE FOLLOWING-NAMED U.S. NAVY OFFICERS TO BE APPOINTED PERMANENT COMMANDER IN THE MEDICAL CORPS OF THE U.S. NAVAL RESERVE, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 12203:

LYNN S. BEMILLER, 000-00-0000  
MARK S. SPITZER, 000-00-0000

THE FOLLOWING-NAMED COMMANDERS OF THE RESERVE OF THE U.S. NAVY FOR PERMANENT PROMOTION TO THE GRADE OF CAPTAIN IN THE LINE, IN THE COMPETITIVE CATEGORY AS INDICATED, PURSUANT TO THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 5912:

##### UNRESTRICTED LINE OFFICERS

##### *To be captain*

ABERNATHY, JOHN M., III, 000-00-0000  
ADAMS, ALLAN B., JR., 000-00-0000  
ADAMS, JOE R., 000-00-0000  
ALLYN, WILLIAM R., 000-00-0000  
ANDERSON, DALE N., 000-00-0000  
ANDERSON, LARRY E., 000-00-0000  
BALDWIN, HENRY S., 000-00-0000  
BARR, ROBERT C., 000-00-0000  
BARRINGER, FRED A., JR., 000-00-0000  
BARTHOLO, DAVID H., 000-00-0000  
BASS, JOHN R., II, 000-00-0000  
BELL, FREDRICK A., 000-00-0000  
BENNETT, GARY D., 000-00-0000  
BLACK, BRUCE M., 000-00-0000  
BRACKEN, FRANK L., JR., 000-00-0000  
BRANCHFLOWER, JOHN L., 000-00-0000  
BREINER, THOMAS L., 000-00-0000  
BROWN, DAVID A., 000-00-0000  
BROWN, THOMAS R., JR., 000-00-0000  
BRUCE, ROBERT C., JR., 000-00-0000  
BUBB, THOMAS A., 000-00-0000  
BUDE, THOMAS J., 000-00-0000  
CASTNER, ROBERT G., 000-00-0000  
CHAMBERLAIN, ROBERT M., 000-00-0000  
CHRISTENSEN, NYLES L., 000-00-0000  
COFFER, ALAN B., 000-00-0000  
COLLINS, DOUGLAS L., 000-00-0000  
CORLEY, ROBERT D., 000-00-0000  
COX, VINCENT H., 000-00-0000  
CRANDALL, JAMES W., JR., 000-00-0000  
CRAWFORD, BERTRAM M., JR., 000-00-0000  
CRAWFORD, DANIEL A., 000-00-0000  
CRITES, DON M., 000-00-0000  
CROWE, RICHARD C., 000-00-0000  
CUNNINGHAM, JAMES A., 000-00-0000  
DANFORTH, PETER A., 000-00-0000  
DARLAND, DALLAS M., 000-00-0000  
DAVIDSON, GARY R., 000-00-0000  
DAVIS, DAVID H., 000-00-0000  
DEVEAUX, CHARLES M., III, 000-00-0000

DICK, RICHARD, 000-00-0000  
 DOMBROWSKI, PAUL R., 000-00-0000  
 DOUGLAS, MICHAEL L., 000-00-0000  
 DOYLE, MERRILL C., 000-00-0000  
 DRIVER, JOHN J., 000-00-0000  
 DYSON, JAMES J., 000-00-0000  
 ECKERMAN, LAWRENCE I., 000-00-0000  
 ELIASSEN, EDWARD S., 000-00-0000  
 ERICKSON, RICHARD R., 000-00-0000  
 FISHER, EARLE B., JR., 000-00-0000  
 FITZGERALD, DOUGLAS P., 000-00-0000  
 FLOWERS, WILLIAM A., 000-00-0000  
 FOWLER, HAROLD E., JR., 000-00-0000  
 FRIDGEN, MICHAEL J., 000-00-0000  
 FULLER, JAMES T., 000-00-0000  
 GADZINSKI, GARY F., 000-00-0000  
 GAHRAN, BRIAN H., 000-00-0000  
 GALECKI, RICHARD M., 000-00-0000  
 GAUTILLIE, JOSEPH C., 000-00-0000  
 GEIGER, JAMES M., 000-00-0000  
 GEORGE, STEPHAN P., II, 000-00-0000  
 GHOLZ, LEE A., 000-00-0000  
 GILMORE, GREGORY C., 000-00-0000  
 GINTZER, HARRY C., III, 000-00-0000  
 GLASSER, DONALD J., 000-00-0000  
 GLENN, LONNIE L., 000-00-0000  
 GOUDGE, DEREK, 000-00-0000  
 GROVER, GRETCHEN G., 000-00-0000  
 GUNDERSON, KENNETH J., 000-00-0000  
 HAAS, JAMES E., 000-00-0000  
 HAILE, LAMAR C., III, 000-00-0000  
 HAMILTON, GEORGE K., JR., 000-00-0000  
 HARDEN, TIMOTHY S., 000-00-0000  
 HARMON, STEPHEN C., 000-00-0000  
 HART, KENNTEH R., 000-00-0000  
 HARWOOD, THEODORE L., II, 000-00-0000  
 HAWKENS, EDWARD R., 000-00-0000  
 HAYDEN, JOHN W., 000-00-0000  
 HAYES, FRED E., 000-00-0000  
 HEINRICH, RICHARD D., 000-00-0000  
 HELLER, LEIGHTON J., JR., 000-00-0000  
 HELSELL, PETER F., 000-00-0000  
 HENDERSON, GLENY, 000-00-0000  
 HENDERSON, THOMAS J., 000-00-0000  
 HESSEY, JOHN H. V., 000-00-0000  
 HINSON, DAVID E., 000-00-0000  
 HOGAN, GARY P., 000-00-0000  
 HOGAN, JOHN D., 000-00-0000  
 HOWARD, WILLIAM R., 000-00-0000  
 HOYT, JOHN R., JR., 000-00-0000  
 IALA, JOHN T., 000-00-0000  
 JACKSON, FREDERICK P., 000-00-0000  
 JACKSON, ROBERT W., 000-00-0000  
 JOHNSON, JEFFREY M., 000-00-0000  
 JOHNSON, JOHN A., JR., 000-00-0000  
 KEARNEY, JAMES P., 000-00-0000  
 KELLY, PATRICK M., 000-00-0000  
 KLOCH, STEPHEN J., 000-00-0000  
 KONDRACK, CHARLES J., 000-00-0000  
 KUTZER, JOHN F., 000-00-0000  
 KVAMME, JAMES C., 000-00-0000  
 LARNED, ROBERT T., 000-00-0000  
 LAWSON, JEFFREY E., 000-00-0000  
 LEONARD, DAVID L., 000-00-0000  
 LEVEDAHL, WILLIAM K., 000-00-0000  
 LINDSEY, ANDREW E., 000-00-0000  
 LINGERFELT, MICHAEL L., 000-00-0000  
 MANGANARO, WILLIAM F., 000-00-0000  
 MARGUTH, JERRY W., 000-00-0000  
 MARGUES, JOHN B., III, 000-00-0000  
 MARTIN, DOUGLAS F., 000-00-0000  
 MARTIN, LANCE S., 000-00-0000  
 MARTIN, WILLIAM E., II, 000-00-0000  
 MCCLELLAN, STEPHAN A., 000-00-0000  
 MCKNIGHT, BRADLEY D., 000-00-0000  
 MEANEY, PATRICK J., 000-00-0000  
 MEARSHEIMER, THOMAS J., J., 000-00-0000  
 MEEKINS, CHARLES D., 000-00-0000  
 MERRITT, JOHN H., 000-00-0000  
 MICHAUD, BRIAN K., 000-00-0000  
 MILLER, JOSEPH G., 000-00-0000  
 MILLER, ROBERT K., 000-00-0000  
 MITCHELL, GARY C., 000-00-0000  
 MURPHY, JOHNSS., 000-00-0000  
 NEMECHKI, MICHAEL M., 000-00-0000  
 NIEDERMAIER, DAVID C., 000-00-0000  
 NIELSEN, WILLIAM F., 000-00-0000  
 NIEMEYER, ANDREWS S., 000-00-0000  
 NORLAND, ERIC R., 000-00-0000  
 OLEXIK, CARL S., JR., 000-00-0000  
 OLSON, LARRY A., 000-00-0000  
 O'SHAUGHNESSY, JOHN L., 000-00-0000  
 OWENS, MICHAEL K., 000-00-0000  
 PARK, JOHN S., 000-00-0000  
 PEBERDY, CHARLES A., JR., 000-00-0000  
 PIERCE, GREGORY D., 000-00-0000  
 PRATT, ROBERT W., II, 000-00-0000  
 PRING, BRIAN L., 000-00-0000  
 RACHEL, DAVID F., 000-00-0000  
 RAINES, FRANK E., 000-00-0000  
 RATCLIFFE, ROBERT E., 000-00-0000  
 RICHARDS, STUART A., 000-00-0000  
 RICKETTS, GARY A., 000-00-0000  
 ROBINSON, CHRISTOPHER B., 000-00-0000  
 ROWELL, KEITH E., 000-00-0000  
 ROLAND, MICHAEL J., 000-00-0000  
 ROSE, FRANK J., 000-00-0000  
 ROSEN, DOUGLAS M., 000-00-0000  
 ROYEN, CHARLES T., 000-00-0000  
 RYAN, PAUL J., 000-00-0000  
 RYAN, RICHARD S., 000-00-0000  
 SATORIUS, MARK A., 000-00-0000  
 SCHEER, JOSEPH, 000-00-0000  
 SCHNECK, ANDREW E., 000-00-0000  
 SCHOBY, DAVID H., 000-00-0000  
 SEWELL, STEVEN R., 000-00-0000  
 SHACKELFORD, THOMAS F., II, 000-00-0000

SHINNICK, WILLIAM B., 000-00-0000  
 SIMMONDS, THOMAS L., 000-00-0000  
 SMITH, NORMAN K., II, 000-00-0000  
 SMITHWICK, JAMES P., 000-00-0000  
 SNOOK, WILLIAM V., 000-00-0000  
 SPEIGHTS, WILLIAM D., 000-00-0000  
 STANFIELD, WAYNE S., 000-00-0000  
 STANLEY, TIMOTHY D., 000-00-0000  
 STANTON, ROBERT S., 000-00-0000  
 STEAGALL, WILLIAM F., JR., 000-00-0000  
 STEVENSON, GEORGE R., JR., 000-00-0000  
 STEWART, JOHN M., JR., 000-00-0000  
 SWINDAL, FREDERICK L., JR., 000-00-0000  
 TABB, HENRY J., 000-00-0000  
 TOMLINSON, CRAIG S., 000-00-0000  
 TREVINO, ROBERT C., 000-00-0000  
 UDICIOUS, RICHARD A., 000-00-0000  
 VANDERSLICE, JOHN A., II, 000-00-0000  
 VECCIA, JAMES V., 000-00-0000  
 VEREMAKIS, DEAN S., 000-00-0000  
 WALSH, DENNIS P., 000-00-0000  
 WEBB, DAVID R., 000-00-0000  
 WEBB, GREGORY G., 000-00-0000  
 WESTON, EDWARD G., 000-00-0000  
 WHEELER, DANIEL A., 000-00-0000  
 WHITMAN, BARTON W., 000-00-0000  
 WIEDENHAEFER, RICHARD C., 000-00-0000  
 WILLIAMS, JEFFREY C., 000-00-0000  
 WILLIS, JOHN R., 000-00-0000  
 WILLY, CHARLES S., 000-00-0000  
 WILSON, JOSEPH D., 000-00-0000  
 WOODY, GARRY L., 000-00-0000

## UNRESTRICTED LINE OFFICERS (TAR)

*To be captain*

ALLISON, JOHN M., 000-00-0000  
 BRANNAN, TANDY T., II, 000-00-0000  
 CHRISTOPHER, STEVEN C., 000-00-0000  
 COMER, DAVID S., 000-00-0000  
 DEBBOUT, JOHN P., 000-00-0000  
 ERICKSON, GARY M., 000-00-0000  
 FILKINS, MICHAEL J., 000-00-0000  
 GILMORE, BRIAN W., 000-00-0000  
 GLADDEN, RILEY J., 000-00-0000  
 HEILENDAY, RICHARD M., 000-00-0000  
 HOLLYFIELD, WALLACE G., JR., 000-00-0000  
 LAPORTE, CRAIG B., 000-00-0000  
 LAVIGNE, BARRY A., 000-00-0000  
 LIVINGSTONE, DAVID D., 000-00-0000  
 NAGELIN, THOMAS F., JR., 000-00-0000  
 SABOL, ALEXANDER J., 000-00-0000  
 SCHORN, DAVID M., 000-00-0000  
 STUART, WAYNE S., 000-00-0000  
 WANDELL, ALTON J., 000-00-0000  
 WILLIAMS, RICHARD C., 000-00-0000  
 WRINKLE, MICHAEL R., 000-00-0000

## ENGINEERING DUTY OFFICERS

*To be captain*

ALLEN, WILLIAM H., 000-00-0000  
 ANDRYUK, NICHOLAS A., 000-00-0000  
 CARLSON, JOHN E., III, 000-00-0000  
 CLANCY, EDWARD V., 000-00-0000  
 COHEE, FRANK E., III, 000-00-0000  
 CROSS, WILLIAM A., 000-00-0000  
 GOSLER, JAMES R., 000-00-0000  
 HOUGH, PHILLIP G., 000-00-0000  
 KLEE, CARL R., 000-00-0000  
 LASH, JAMES H., 000-00-0000  
 PERREIRA, NOLAN G., 000-00-0000  
 RIX, WILLIAM H., 000-00-0000

## AEROSPACE ENGINEERING DUTY OFFICERS

## (ENGINEERING)

*To be captain*

ALLEY, THOMAS C., JR., 000-00-0000  
 BUSHELLE, WILLIAM R., 000-00-0000  
 CRAIG, RAYMOND P., JR., 000-00-0000  
 MORRISON, GRAY D., 000-00-0000  
 ROEDER, FREDERICK J., 000-00-0000  
 SHANNON, JOHN G., 000-00-0000

## AEROSPACE ENGINEERING DUTY OFFICERS

## (MAINTENANCE)

*To be captain*

BELL, WILLIAM H., 000-00-0000  
 TYSON, DAN M., 000-00-0000

## SPECIAL DUTY OFFICERS (CRYPTOLOGY)

*To be captain*

ALLEN, JOHN M., 000-00-0000  
 CHESSON, MICHAEL B., 000-00-0000  
 DAVIS, MICHAEL H., 000-00-0000  
 DILLON, VERONIQUE S., 000-00-0000  
 DUNN, DAVID F., 000-00-0000  
 HOLSTEAD, RONALD E., 000-00-0000  
 PASKIEWITZ, EARL T., 000-00-0000  
 VOGEL, FREDERICK Q., 000-00-0000  
 ZELLMER, RICHARD J., 000-00-0000

## SPECIAL DUTY OFFICERS (MERCHANT MARINE)

*To be captain*

FUNK, WILLIAM D., 000-00-0000  
 JIMENEZ, MICHAEL A., 000-00-0000  
 KUCHARSKI, MICHAEL J., 000-00-0000  
 MCNAMARA, BRIAN S., 000-00-0000  
 MOSS, WILLIAM A., 000-00-0000  
 NELSON, RICHARD T., JR., 000-00-0000  
 FATTEN, BARRY A., 000-00-0000  
 PEACOCK, ROBERT J., II, 000-00-0000

SPILLANE, CORNELIUS V., 000-00-0000  
 WHITE, EDWARD F., JR., 000-00-0000

## SPECIAL DUTY OFFICERS (INTELLIGENCE)

*To be captain*

BLEVINS, DAVID H., 000-00-0000  
 BRIANT, CHARLES C., 000-00-0000  
 CHUNG, BELINDA W., 000-00-0000  
 CODY, JOSEPH P., JR., 000-00-0000  
 DAVIS, JORDAN B., 000-00-0000  
 DUVEEN, JUDI A., 000-00-0000  
 FORBES, LAURIE E., 000-00-0000  
 GREEN, NORMAN K., JR., 000-00-0000  
 GREENLEE, JIM M., 000-00-0000  
 HILL, JOHN B., 000-00-0000  
 HOLLIMAN, WILLIAM M., 000-00-0000  
 HURLEY, RODNEY G., 000-00-0000  
 KELLEY, JACKSON D., 000-00-0000  
 LILLJEDAHL, SHARON L. B., 000-00-0000  
 LOOKABILL, ROBERT L., 000-00-0000  
 MACLIN, JAMES S., 000-00-0000  
 NEATHERY, JAMES W., 000-00-0000  
 PATTERSON, WILLIAM M. J., 000-00-0000  
 PATTON, GREGORY D., 000-00-0000  
 RIVET, LEONARD N., 000-00-0000  
 ROESLER, GORDON M., JR., 000-00-0000  
 SCHOONOVER, ELEANOR S. T., 000-00-0000  
 SEGHERS, PHILIP E., 000-00-0000  
 SIDONI, JAMES A., 000-00-0000  
 TERRELL, LEANNA F., 000-00-0000  
 TROUT, RICHARD W., 000-00-0000  
 WELLS, JAMES D., 000-00-0000

## SPECIAL DUTY OFFICERS (INTELLIGENCE) (TAR)

*To be captain*

CURFS, THOMAS P., 000-00-0000

## SPECIAL DUTY OFFICERS (PUBLIC AFFAIRS)

*To be captain*

DANIELS, THOMAS H., 000-00-0000  
 DAYTON, DANIEL S., 000-00-0000  
 FISCH, STEPHEN R., 000-00-0000  
 HULTS, ARTHUR S., III, 000-00-0000  
 JARVIS, KENNETH A., 000-00-0000  
 PANDZIK, MICHAEL L., 000-00-0000  
 PINARD, THOMAS C., 000-00-0000  
 SCHNEIDER, CHARLES F., 000-00-0000  
 URBAN, WALTER M., JR., 000-00-0000  
 WILKINSON, JOSEPH B., JR., 000-00-0000  
 WYATT, JOHN D., III, 000-00-0000

## SPECIAL DUTY OFFICERS (FLEET SUPPORT)

*To be captain*

ALLEN, SHIRLEY, 000-00-0000  
 ATWATER, CHARLES D., 000-00-0000  
 BARY, CHARLENE G., 000-00-0000  
 BRENNAN, CHRISTOPHER P., 000-00-0000  
 BUTLER, MARVIN G., 000-00-0000  
 CELLINI, ANTHONY L., 000-00-0000  
 CULPEPPER, MICHAEL L., 000-00-0000  
 DALTON, JOSEPH A., 000-00-0000  
 DICKSON, GARY W., 000-00-0000  
 DRISCOLL, SONDRAL L., 000-00-0000  
 FEENEY, KEVIN J., 000-00-0000  
 GOLDSTEIN, KATHLEEN M., 000-00-0000  
 GOMEZ, LAWRENCE T., 000-00-0000  
 GONZALES, ROMAN, III, 000-00-0000  
 GROESBECK, DEBORAH, 000-00-0000  
 HARLAN, WAYNE A., 000-00-0000  
 HARRIS, VASCAR G., 000-00-0000  
 HEBERT, VERONICA D., 000-00-0000  
 HONDA, FRANCES T., 000-00-0000  
 HOWES, SANDRA L. R., 000-00-0000  
 JACQUES, PHILIPPE A., 000-00-0000  
 JOHNSON, BARNEY G., III, 000-00-0000  
 JOHNSON, ROXANNE T., 000-00-0000  
 KATIN, ROBERT A., 000-00-0000  
 KERMEN, ROBERT J., 000-00-0000  
 LOPEZ, GILBERTO J., JR., 000-00-0000  
 MARTINEZ, JACK, JR., 000-00-0000  
 MCDEVITT, CAROL J., 000-00-0000  
 MORGAN, JONI P., 000-00-0000  
 NIENOW, CLARK B., 000-00-0000  
 NOBLE, RUSSELL S., 000-00-0000  
 ODOM, DENNIS F., 000-00-0000  
 PARK, ALAN M., 000-00-0000  
 PITCHFORD, GAYEL A., 000-00-0000  
 PRITZ, DAVID G., 000-00-0000  
 RICK, DENNIS L., 000-00-0000  
 RINANDO, ALAN R., 000-00-0000  
 ROBINSON, DONALD L., 000-00-0000  
 SMITH, MARK W., 000-00-0000  
 SMITH, RALPH R., 000-00-0000  
 STOFFELS, GARY B., 000-00-0000  
 TRITCHLER, JAMES A., 000-00-0000  
 WEBSTER, RICHARD M., JR., 000-00-0000

## SPECIAL DUTY OFFICERS (FLEET SUPPORT) (TAR)

*To be captain*

DENARDO, JANET E., 000-00-0000

## SPECIAL DUTY OFFICERS (OCEANOGRAPHY)

*To be captain*

SHAYNE, GEORGE R., 000-00-0000